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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 8939/2025**

PREM SINGH AND ANR.

.....Petitioners

Through: Mr. Lokesh Kumar Mishra, Mr.
Vinay Sahu and Ms. Shreya
Thakur, Advocates.

versus

THE STATE (GOVT OF NCT
OF DELHI) AND ORS

.....Respondents

Through: Mr. Hitesh Vali, APP for State
with SI Ashish Panwar, P.S.
Gazipur.
Mr. Kamran Khan, Advocate for
R2 and R3.

+ **CRL.M.C. 9068/2025**

HARIKISHAN AND ANR

.....Petitioner

Through: Mr. Kamran Khan, Advocate.

versus

THE STATE (GOVT OF NCT
OF DELHI) AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for State
with SI Ashish Panwar, P.S.
Gazipur.
Mr. Lokesh Kumar Mishra, Mr.
Vinay Sahu and Ms. Shreya
Thakur, Advocates for R2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **11.05.2026**

1. By way of the present petitions under Section 528 of the Bharatiya



Nagarik Suraksha Sanhita, 2023 [“BNSS”] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 [“CrPC”]), the petitioners seek quashing of two FIRs, being FIR No. 329/2015 for offences punishable under Sections 323/341/354/34 of the Indian Penal Code, 1860, [“IPC”] [subject matter of CRL.M.C. 8939/2025]; and FIR No. 332/2015 for offences punishable under Sections 323/354/34 of the IPC [subject matter of CRL.M.C. 9068/2025], alongwith all consequential proceedings emanating therefrom, on the basis of a settlement arrived at between the parties. Both FIRs were registered on 05.04.2015 at Police Station Ghazipur, East District, Delhi.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Kamran Khan, learned counsel, accepts notice on behalf of respondent Nos. 2 and 3 in CRL.M.C. 8939/2025, and Mr. Lokesh Kumar Mishra, learned counsel, accepts notice on behalf of respondent No. 2 in CRL.M.C. 9068/2025.

3. The petitions are taken up for disposal with the consent of learned counsel of parties.

4. The parties are neighbours residing in the same locality. The impugned FIRs were registered at the instance of respondent No. 2 in the respective petitions, and arise out of the same incident dated 04.04.2015. It appears that the FIRs were registered pursuant to a scuffle between the parties regarding a container used to store cattle feed, which had allegedly been placed in the middle of the road. There is no allegation of use of a firearm or sharp weapon.

5. Upon completion of the investigation, chargesheets were filed. Charges have since been framed under Sections 354/354A/323/509/238



of the IPC in relation to FIR No. 329/2015 [subject matter of CRL.M.C. 8939/2025], and Sections 354/323/506/509/34 in relation to FIR No. 332/2015 [subject matter of CRL.M.C. 9068/2025].

6. During the pendency of proceedings, the parties entered into a comprehensive settlement dated 02.05.2024, under the aegis of the Delhi Mediation Centre, Karkardooma Courts, Delhi.

7. In light of the aforesaid, they seek quashing of the impugned FIR and all consequential proceedings emanating therefrom.

8. The parties are present in Court, and have been duly identified by their respective learned counsel as well as the Investigating Officer.

9. The settlement records that the disputes between the parties arose on account of trivial issues related to throwing of garbage and scattering of fodder, which led to the registration of the impugned FIRs. The settlement contemplates that the petitioners in CRL.M.C. 8939/2025 shall pay an amount of Rs. 75,000/- to respondent Nos. 2 and 3 therein towards full and final settlement. I am informed that an amount of Rs. 20,000/- has already been paid in terms of the settlement, and the remaining amount of Rs. 55,000/- has been paid today.

10. The complainants in both petitions, who are present in Court and represented by counsel, state that the allegations under Sections 354/354A of the IPC arose out of a misunderstanding, and that they do not wish to pursue the same.

11. Learned counsel for the parties also confirm that the settlement has been entered into voluntarily, and without any coercion or undue pressure.

12. The Supreme Court has clearly held that, in certain circumstances,



the High Courts, in exercise of their powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected. In *Gian Singh v. State of Punjab and Anr.*¹, the Court held as follows:

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and

¹ (2012) 10 SCC 303.



ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved

² Emphasis supplied.

³ (2014) 6 SCC 466.



their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”⁴

13. In the present case, the impugned FIRs arise out of trivial neighbourhood disputes. The complainants have stated that the allegations under Sections 354/354A of the IPC arose on account of misunderstandings, and that they do not wish to pursue the same. The allegations, therefore, do not implicate any larger public interest or involve grave criminality. The parties also continue to reside in the same locality and have agreed to bury the hatchet.

14. Applying the principles laid down by the Supreme Court, it is pertinent to note that the complainants have also affirmed the voluntary nature of the settlement before the Court. In these circumstances, the continuation of criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, while merely adding to the burden on the justice system and causing unnecessary consumption of public resources.

15. However, considering that the criminal justice machinery had been set in motion and that considerable time of both the State and the Court has been expended, the petitioners in both the petitions are directed to deposit costs of Rs. 10,000/- each with the Delhi High Court Bar Association [A/C No. 15530110179338, IFSC No. UCBA0001553, Bank Name: UCO Bank, Branch: Delhi High Court], within two weeks from

⁴ Emphasis supplied.



today. An affidavit of compliance shall be filed within two weeks thereafter.

16. Having regard to the above discussion, the petitions are allowed, and FIR No. 329/2015 for offences punishable under Sections 323/341/354/34 of the IPC, and FIR No. 332/2015 for offences punishable under Sections 323/354/34 of the IPC, both registered on 05.04.2015 at Police Station Ghazipur, East District, Delhi, alongwith all consequential proceedings emanating therefrom, are hereby quashed, subject to payment of costs as aforesaid.

17. The parties shall remain bound by the terms of the settlement.

18. The petitions stand disposed of.

PRATEEK JALAN, J

MAY 11, 2026
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