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

+ CRL.M.C. 9246/2025 CRL.M.A. 38611/2025

RAJESH PURI AND ANRPetitioners
Through: Mr. R.P.S. Sirohi, Advocate.

Versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents
Through: Mr. Yudhvir Singh Chauhan, APP.
SI Dhananjay Gupta, PS Kirti
Nagar

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **13.05.2026**

1. The petitioners have approached this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]), seeking quashing of FIR No. 149/2019, dated 24.05.2019, registered at Police Station Kirti Nagar, Delhi, alongwith all proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. Although the FIR was originally registered under Section 376 of the Indian Penal Code, 1860 ["IPC"], I am informed that petitioner No. 1 was discharged for the offence under Section 376 of IPC by the Sessions Court *vide* order dated 02.06.2022. The offences that therefore remain are under Sections 323/506/509/34 of IPC against the petitioners, which had been added at the stage of filing of the chargesheet.



3. Issue notice. Mr. Yudhvair Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No. 2 is present in Court, and states that she doesn't require the assistance of counsel.
4. The petitioners are present in Court and are duly identified by their counsel and the Investigating Officer ["IO"]. Respondent No. 2 is also present in Court and has been duly identified by the IO.
5. The matter is taken up for hearing with the consent of learned counsel for the parties.
6. The impugned FIR was registered on the complaint of respondent No. 2, who was a neighbour of the petitioners. She alleged that petitioner No. 1 repeatedly established physical relations with her by making false promises of marriage and later abandoned her. She further alleged that on 24.05.2018, she went to the petitioners' house, and upon reaching there, petitioner No. 2 and her children assaulted her, and petitioner No. 2 also strangled her.
7. Upon completion of the investigation, a chargesheet was filed against the petitioners herein. The children of the petitioners were not chargesheeted. Offences under Sections 323/506/509/34 of IPC were added against the petitioners.
8. I am also informed that the injuries sustained by respondent No. 2 are simple in nature.
9. During the pendency of the case, the parties arrived at an amicable settlement recorded in a Settlement Deed dated 01.03.2025.
10. Learned counsel for the parties submit before the Court that the settlement was entered into voluntarily, without force, fraud or coercion,



and that continuation of the criminal proceedings would serve no useful purpose.

11. Respondent No. 2 confirms before the Court that the allegations arose out a misunderstanding stemming from a neighbourhood dispute, and she does not wish to pursue the present FIR further. To this effect, an affidavit on behalf of respondent No. 2 has been placed on record, wherein it is affirmed that she has no objection to the quashing of the impugned FIR and all consequential proceedings emanating therefrom.

12. In light of the aforesaid, the petitioners have approached this Court seeking quashing of the impugned FIR.

13. 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.

14. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has 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

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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 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

15. The present case arises out of a neighbourhood dispute stemming from a misunderstanding between the parties. Although the FIR was originally registered under Section 376 of the IPC, the petitioner No. 1 was discharged thereunder. Similarly, allegations against the children of the petitioners also did not lead to a chargesheet against them. The parties



continue to reside in the same locality and have amicably resolved their differences, agreeing to bury the hatchet and maintain cordial relations. Respondent No. 2 have stated that the dispute arose on account of a misunderstanding. It is also stated that the nature of injuries sustained is simple. It is also noted that the matter has remained pending for a considerable period of nearly six years. In such circumstances, the continuation of the proceedings would only impede the parties' ability to live harmoniously as neighbours and would serve no purpose other than to perpetuate unnecessary animosity.

16. In view of the foregoing, the petition is allowed. Accordingly, FIR No. 149/2019, dated 24.05.2019, registered at Police Station Kirti Nagar, Delhi, for offences punishable under Sections 376 of the IPC, alongwith all proceedings emanating therefrom, is hereby quashed.

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

18. The petition is accordingly disposed of.

PRATEEK JALAN, J

MAY 13, 2026

'B'/AD/

⁴ Emphasis supplied.