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

+ **CRL.M.C. 102/2026 & CRL.M.A. 341/2026**

ABDUL FIROZ AND ANR

.....Petitioners

Through: Mr. Shahid Ahmed, Ms. Shabnam,
Advocates.
Petitioner No. 2 in person (through
VC)

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for State.
HC Bacchoo Singh, SI Rahul
Rathi, PS- Sangam Vihar.
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **07.01.2026**

1. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No.2 is present in person. The petition is taken up for disposal with the consent of learned counsel for the parties.

2. By way of this petition, 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, who are accused in FIR No. 0337/2023 registered on 15.05.2023 at Police Station Sangam Vihar under Sections 323/341/506/201/34 of the Indian Penal Code, 1860, ["IPC"], seek quashing of the proceedings on grounds of a settlement with the complainant – respondent No. 2 herein.



3. Petitioner No.1 and respondent No.2 are present in person. Petitioner No.2 is present on video-conference.
4. Petitioner No. 1 and respondent No. 2 were married in September 2011. They have two children, aged approximately 13 years and 10 years, respectively. Petitioner No. 2 is stated to be a friend of petitioner No. 1.
5. In the subject FIR, the allegation was that Respondent No. 2 disapproved of the friendship and telephonic conversations between the two petitioners. This allegedly resulted in threats being made to Respondent No. 2 and her children, and she was subjected to physical violence by both the petitioners. The Medico-Legal Certificate shows that Respondent No. 2 sustained simple injuries in the aforesaid incident.
6. A deed of settlement was entered into on 27.12.2025 between all three parties. Accordingly, they seek quashing of the criminal proceedings.
7. Although the Settlement Deed contains a recital to the effect that the relationship between Petitioner No. 1 and Respondent No. 2 has irrevocably broken down, it is also stated that they have reconciled and have been living together with their two children since October 2025. It is further stated that the settlement was entered into without any consideration. It may be noted that there are certain contradictory averments in the petition, both with regard to payment of consideration and reconciliation between the parties to the marriage. Statements of petitioner No. 1 and respondent No. 2 have therefore been recorded separately. The statements have been made in Hindi and translated by me into English.
8. In their statements, petitioner No. 1 and respondent No. 2, have



stated that they have reconciled and have been living together as husband and wife since October 2025. They have also stated that no consideration was exchanged for the present compromise.

9. The Supreme Court has clearly held that, in certain circumstances, the High Courts 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. Reference in this regard may be made to the judgment of the Supreme Court in *Gian Singh v. State of Punjab & Anr.*¹, which 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

¹ (2012) 10 SCC 303.



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 deed 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

10. In the present case, the proceedings between the parties arise out of a matrimonial relationship, which have already culminated in a settlement. As Petitioner No. 1 and Respondent No. 2 have since reconciled, the continuance of the criminal proceedings would only impede their married life and the welfare of their minor children. Petitioner No. 2 is also agreeable to the compromise. She states that she has given birth to a child a few days ago, and wishes to continue with her own life in peace and harmony.

11. Applying the tests laid down by the Supreme Court, it may be observed that Respondent No. 2 has also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in a conviction. Their continuation would be an empty formality, adding to

⁴ Emphasis supplied.



the burden on the justice system, and would also act as an impediment to the parties living in peace.

12. Having regard to the above discussion, the petition is allowed and FIR No. 0337/2023 under Sections 323/341/506/201/34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

13. The petition, alongwith the pending application, accordingly stands disposed of.

PRATEEK JALAN, J

JANUARY 7, 2026
'Bhupi/JM'/