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

+ **W.P.(CRL) 41/2026 & CRL.M.A. 363/2026**

RAHUL KUMAR & ORS.

.....Petitioners

Through: Mr. Raj Kumar, Mr. Ankush
Singh, Advocates.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, SC with Mr.
Abhinav Kumar, Mr. Aryan
Sachdeva, Advocates for State.
Mr. Anmol Mangat, Mr. Karan
Giri, Advocates for R-2.
Sub-Inspector Meenu.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **07.01.2026**

1. Issue notice. Mr. Sanjay Lao, learned Standing Counsel, accepts notice on behalf of the State. Mr. Anmol Mangat, learned counsel, accepts notice on behalf of respondent No. 2.
2. By way of this petition, petitioner Nos. 1 to 3, who are the accused in FIR No. 553/2025 dated 12.12.2025, registered under Sections 74/115/3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], at P.S. Patparganj Industrial Area, Delhi, seek quashing of the FIR on the ground of settlement between the parties.
3. The FIR was registered at the instance of respondent No. 2 – complainant, who is the wife of petitioner No. 1. Petitioner Nos. 2 and 3 are the brother and sister-in-law of petitioner No. 1, respectively.



Petitioner No. 4 is the minor child of petitioner Nos. 2 and 3.

4. Petitioner Nos. 1 to 3 and the complainant are present in Court. They are identified by their counsel, as also by the Investigating Officer.

5. With the consent of learned counsel for the parties, the petition is taken up for disposal.

6. The allegation in the FIR, in summary, is that on 30.11.2025, petitioner No.2 entered the complainant's room and outraged her modesty. Upon the complainant screaming, petitioner Nos. 3 and 4 [being the wife and minor child of petitioner No.2], started beating her, due to which she sustained injuries. Petitioner No. 1 also refused to intervene and beat her.

7. The parties have since entered into a compromise dated 19.12.2025, which states that they will continue to live together, and that the complainant does not wish to proceed with the FIR.

8. It may be noted that the compromise was entered into within one week of filing of the FIR. Mr. Mangat states that the FIR was registered as a result of a misunderstanding between the parties, and due to a quarrel between the complainant and petitioner No. 1. The complainant also confirms that she does not wish to proceed with the criminal proceedings. Upon a query of the Court, she states that she has been married for about seven years, and has lived since then, with her husband and his family members, including petitioner Nos.2 and 3.

9. Mr. Lao states that although a Medico-Legal Certificate ["MLC"] was conducted, no injuries were found. A copy of the MLC has been handed up in Court and is taken on record.

10. 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 connection can be made to the judgment in *Gian Singh v. State of Punjab & Anr.* [(2012) 10 SCC 303], 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 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.”

[Emphasis supplied.]



11. In the present case, the proceedings between the parties arise out of a family dispute, which has already culminated in a settlement. The parties continue to live together, as they have done for the last seven years. Applying the tests laid down by the Supreme Court, it may be observed that the complainant has also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction. Their continuation would be an empty formality, adding to the burden of 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. 553/2025 dated 12.12.2025, registered under Sections 74/115/3(5) of the BNS, at P.S. Patparganj Industrial Area, Delhi, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

PRATEEK JALAN, J

JANUARY 7, 2026
‘Bhupi/KA’/