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

+ **W.P.(CRL) 150/2026**

**GURVINDER SINGH AND ORS** .....Petitioners

Through: Mr. Javed Khan and Ms. Anshula Gupta, Advocates alongwith petitioners.

versus

**THE STATE NCT OF DELHI AND ANR** .....Respondents

Through: Mr. Sanjay Lao, Standing Counsel with Mr. Abhinav Kumar, Mr. Anjan Sachdeva and Mr. Priyam Agrawal, Advocates for the State alongwith SI Arvind Kumar, P.S.- Greater Kailash-I.  
Mr. Vikas Walia and Mr. Yash Sharma, Advocates for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **15.01.2026**

**CRL.M.A. 1398/2026 (for exemption)**

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

**W.P.(CRL) 150/2026**

1. Issue notice. Mr. Sanjay Lao, learned Standing Counsel, accepts notice on behalf of the State. Mr. Vikas Walia, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.
2. The petitioners have filed this petition under Article 226 of the Constitution of India read with 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. 259/2023 dated 13.09.2023, registered at P.S. Greater Kailash, New Delhi, for the offences punishable under Sections 354/354D/506/509/34 of the Indian Penal Code, 1860 [“IPC”], and proceedings emanating therefrom, on the ground of settlement.

3. The impugned FIR was registered at the instance of respondent No.2. The allegations, as emerging therefrom, were that petitioner No. 1 was harassing her, and that the petitioners were regularly raising issues concerning the entry and exit of domestic help and delivery personnel, and car parking.

4. Subsequently, the parties have entered into a settlement under the aegis of the Delhi High Court Mediation and Conciliation Centre, recorded in a Settlement Agreement dated 24.03.2025. In light of the aforesaid, the parties seek quashing of the impugned FIR.

5. The petitioners are present in Court and are identified by learned counsel and the Investigating Officer [“IO”]. Respondent No. 2 is present through video conferencing and is identified by learned counsel and the IO. The parties have confirmed before the Court that they registered the FIRs against each other on a misunderstanding. They also state that they have settled their disputes voluntarily, and do not wish to proceed with the criminal proceedings against each other.

6. It may be noted that, pursuant to the settlement, the other FIR [FIR No. 148/2023 dated 22.07.2023, registered at P.S. Greater Kailash, New Delhi, for the offences punishable under Sections 506/509 of the IPC], registered at the instance of the petitioners against respondent No. 2 and



her family members, arising out of the same dispute, has already been quashed by this Court [CRL. M.C. 7901/2025, decided on 12.11.2025].

7. Although the offences under Sections 354 and 354D of IPC are non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS [corresponding to Section 482 of CrPC], 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.

8. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], the Supreme 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 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.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], 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 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.”*

[Emphasis supplied.]

9. The present case arises out of a dispute between neighbours. The parties continue to reside in the same building, and have agreed to bury the hatchet with the intervention of the learned mediator. The proceedings between the parties, arise out of disputes between them regarding maintenance of common areas, lift, water connections, etc. Cross-FIRs were registered due to a misunderstanding between the parties. As noted above, the other FIR has already been quashed by this Court, on the basis of the Settlement Agreement dated 24.03.2025. Applying the tests laid down by the Supreme Court, it may be observed that respondent No. 2 has categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction, and would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily.

10. Having regard to the above discussion, the petition is allowed, and FIR No. 259/2023 dated 13.09.2023, registered at P.S. Greater Kailash, New Delhi, for the offences punishable under Sections 354/354D/506/509/34 of the IPC, and consequential proceedings arising



therefrom, is hereby quashed.

11. The petition is disposed of in terms of the above.

**PRATEEK JALAN, J**

**JANUARY 15, 2026**

dy/KA/