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

+ CRL.M.C. 1218/2026

ADITYA BALIYAN

.....Petitioner

Through: Mr. Saroj Kumar Jha & Mr.
Kaynat Ansari, Advocates.

versus

THE STATE GOVT OF NCT
OF DELHI AND ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for State.
SI Sumit, PS Shahdara.
Mr. Yogesh Sharma, Advocate for
R-2 alongwith R-2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.02.2026

CRL.M.As. 4934-4935/2026 (for exemption)

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

CRL.M.C. 1218/2026

1. The petitioner has filed 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"]) seeking quashing of FIR No. 18/2019 dated 27.01.2019, registered at Police Station Jagat Puri, District Shahdara, under Sections 354(D)/506 of the Indian Penal Code, 1860 ["IPC"] and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public



Prosecutor, accepts notice on behalf of the State. Mr. Yogesh Sharma, learned counsel, accepts notice on behalf of respondent No.2.

3. The petition is taken up for disposal with the consent of learned counsel for the parties.

4. The impugned FIR was registered on 27.01.2019 on the complaint of respondent No. 2, who alleged that she had previously been on friendly terms with the petitioner, which she had terminated due to his alleged abusive conduct. She further alleged that despite a compromise between the parties whereby they agreed not to contact each other, the petitioner continued to follow and harass her, and on 27.01.2019 at about 6:00 P.M., he followed her to her friend's residence, forcibly entered the premises, and harassed her.

5. Upon completion of investigation, a chargesheet was filed in January 2020. The case [Cr. Case 504/2022] is pending before the Court of Judicial Magistrate First Class (Mahila Court), District Shahdara, Karkardooma Courts, at the stage of "*Misc/Appearence*", and is next listed on 08.04.2026.

6. During the pendency of the proceedings, the parties have entered into a settlement, recorded in a Settlement Deed dated 15.12.2025.

7. In light of the aforesaid, parties seek quashing of the impugned FIR, alongwith consequential proceedings emanating therefrom.

8. The petitioner is present in Court, and is identified by his learned counsel, as well as by the Investigating Officer ["IO"]. Respondent No. 2 is also present in person, and is identified by Mr. Sharma and the IO.

9. Respondent No. 2 affirms before the Court that the allegations arose out of a misunderstanding between the parties, and she has no



objection to quashing of the impugned FIR.

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

11. Although the offence under Section 354(D) of the IPC is 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.

12. 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 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,*

¹ (2012) 10 SCC 303.



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 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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

13. The offences alleged in the present FIR arise out of a personal dispute between the parties. They were earlier friends, and respondent No. 2 has appeared before this Court and has stated that the allegations arose out of a misunderstanding between the parties. She has further categorically affirmed that the settlement has been entered into voluntarily and without any coercion or undue influence. The matter does not involve any element of heinous criminality or overriding public interest. Applying the principles laid down by the Supreme Court, and considering that the parties have amicably resolved their disputes, the possibility of conviction appears remote and bleak. In such circumstances, continuation of the criminal proceedings would serve no

⁴ Emphasis supplied.



useful purpose and would amount to an unnecessary burden on the judicial system.

14. In view of the aforesaid discussion, the petition is allowed, and FIR No. 18/2019 dated 27.01.2019, registered at Police Station Jagat Puri, District Shahdara, Delhi, under Sections 354(D)/506 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed, subject to payment of costs of Rs. 10,000/- by the petitioner to respondent No. 2. In view of the time spent in legal proceedings petitioner is also directed to deposit costs of Rs. 10,000/- with the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338, IFSC No. UCBA0001553, Bank Name: UCO Bank, Branch: Delhi High Court].

15. The costs be deposited within two weeks from today. An affidavit of compliance shall be filed within four weeks thereafter.

16. The parties will remain bound by the terms of the settlement.

17. The petition accordingly stands disposed of.

PRATEEK JALAN, J

FEBRUARY 13, 2026

'pv/JM'/'