



\$~108 & 112

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

+ W.P.(CRL) 991/2026 & CRL.M.A. 9344/2026

LIPIKA SETHI & ANR.Petitioners

Through: Mr. Mohit Malik, Advocate with
petitioners in person.

versus

STATE GOVT OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Rahul Tyagi, ASC (Crl. With
Ms. Priya Rai, Mr. Sangeet Sibou
and Mr. Priyansh Singh Sengar,
Advocates with SI Vinay Singh,
PS Lajpat Nagar
Counsel for the respondent Nos.2-
4 with respondents in person.

+ CRL.M.C. 2195/2026

UMA PARKASH & ORS.Petitioners

Through: Appearance not given with
petitioners in person.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Hitesh Vali, APP with SI
Vinay Singh, PS Lajpat Nagar
Mr. Mohit Malik, Advocate for R-
2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **27.03.2026**

1. The petitioners have filed these petitions under Article 226 of the Constitution, and 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. 402/2024, dated 23.11.2024, registered at Police Station Lajpat Nagar, District South East, under Sections 74/79/351(2) of the Bharatiya Nyaya Sanhita, 2023, [“BNS”] in W.P. (CRL.) 991/2026, and FIR No. 384/2024, dated 06.11.2024, registered at Police Station Lajpat Nagar, District South East, under Sections 74/79/62/115(2) of the BNS in CRL.M.C. 2195/2026, and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Mr. Rahul Tyagi, learned Additional Standing Counsel (Criminal), accepts notice on behalf of the State in W.P.(CRL) 991/2026, and Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State in CRL.M.C. 2195/2026. Learned counsel also accept notice on behalf of private respondents in both petitions.

3. The impugned cross-FIRs, which have been lodged at the instances of respondent No. 2 in each of the petitions, arose out of a neighbourhood dispute.

4. In CRL.M.C. 2195/2026, respondent No. 2, a medical practitioner, filed a complaint against the petitioners (who are respondents in W.P. (CRL) 991/2026), alleging that she was subjected to repeated acts of physical assault, verbal abuse, criminal intimidation, and harassment. She states that the dispute arose from the installation of a CCTV camera, to which she objected, and that she was thereafter subjected to inappropriate physical contact allegedly outraging her modesty, along with abusive and derogatory remarks. Based upon the said complaint, FIR 384/2024 was registered on 06.11.2024.

5. In W.P. (CRL) 991/2026, respondent No. 2 filed a complaint against the petitioners alleging continuous harassment, intimidation, and



physical assault inflicted upon her and her sons, as well as trespass into their property without permission. Based upon the said complaint, FIR 402/2024 was registered on 23.11.2024.

6. During the pendency of investigation, the parties amicably entered into a settlement under the aegis of the Mediation Centre, Saket Courts, Delhi, on 19.08.2025. The parties agreed to withdraw/quash all pending civil and criminal proceedings against each other, subject to payment of Rs. 2,00,000/- to respondent No. 2 in CRL.M.C. 2195/2026 by the petitioners. Rs. 1,00,000/- was paid to her at the time of entering into the settlement and the balance amount was to be paid at the time of quashing of the impugned FIRs.

7. In light of the aforesaid, the parties seek quashing of the impugned FIRs and all consequential proceedings emanating therefrom.

8. The parties are present in Court, and are identified by their learned counsel, as well as by the Investigating Officer.

9. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure. The complainants in both matters, who are present in Court, state that, with the passage of time, they do not wish to proceed with the criminal proceedings and that the allegations under Sections 74 and 79 of the BNS (corresponding to Sections 354 and 509 of the Indian Penal Code, 1860, respectively) arose out of a misunderstanding stemming from a neighbourhood dispute. The parties further state that they continue to reside in the same locality and, therefore, wish to live peacefully rather than continue their disputes.

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their extraordinary powers under Article



226 of the Constitution, 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.

11. 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, 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

¹ (2012) 10 SCC 303.

² Emphasis supplied.



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.

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

³ (2014) 6 SCC 466.



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

12. The offences alleged in the impugned FIRs arise out of a neighbourhood dispute between the parties and are essentially private in nature. The complainants have affirmed before the Court that the allegations under Section 74 and 79 of the BNS arose out of a misunderstanding stemming from the said dispute. The dispute does not involve any element of public interest or heinous criminality. Applying the tests laid down by the Supreme Court, it may be observed that the complainants in both the petitions have also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction, and its continuation would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily.

13. As per the terms of the settlement, the balance amount of Rs. 1,00,000/- is handed over in Court to respondent No. 2 in in CRL.M.C. 2195/2026 by the petitioners therein. There is no monetary settlement in W.P.(CRL.) 991/2026. Thus, there is no impediment to grant of the relief sought.

14. Having regard to the foregoing discussion, the petitions are allowed, and FIR No. 402/2024, dated 23.11.2024, under Sections

⁴ Emphasis supplied.



74/79/351(2) of the BNS in W.P.(CRL.) 991/2026, and FIR No. 384/2024, dated 06.11.2024, under Sections 74/79/62/115(2) of the BNS in CRL.M.C. 2195/2026, both registered at Police Station Lajpat Nagar, District South East, Delhi, along with all consequential proceedings arising therefrom, are hereby quashed. Considering that the criminal justice machinery had been set in motion and that considerable time of both the police and the Court has been expended, the petitioners in each case are directed to deposit costs of Rs. 15,000/- with the *Delhi High Court Bar Association Costs Account* [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch] within a period of two weeks from today. Affidavits of compliance be filed within one week thereafter.

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

16. The petitions, alongwith the pending applications, accordingly stand disposed of.

PRATEEK JALAN, J

MARCH 27, 2026

‘sv/JM’/