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

CNR No. DLHC011005602025

+ CRL.M.C. 8897/2025

RAMESH @ TINKU & ANR.

.....Petitioner

Through: Mr. Rajan Kr. Prasad, Advocate.

versus

STATE GOVT OF NCT OF DELHI & ORS.

.....Respondent

Through: Mr. Tarang Srivastava, APP

Appearance not given for R-2.

SI Pankaj, PS Sarita Vihar.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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19.08.2026

1. The present petition has been filed 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. 649/2025 dated 01.09.2025, registered at Police Station Sarita Vihar, Delhi, for offences punishable under Sections 110, 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], alongwith all proceedings emanating therefrom, on the ground that the parties have amicably resolved their disputes by way of a compromise.
2. The petitioners are present in Court and are identified by their learned counsel as well as the Investigating Officer. Respondent Nos. 2 to 4 are also present in person and is duly identified by their learned counsel and the Investigating Officer.



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

4. The allegations in the FIR arise out of an incident of assault that took place on 31.08.2025 at approximately 9:00 p.m. near Sarita Vihar, New Delhi. Respondent No. 2, the complainant, stated that after returning from Delhi Airport and reaching Sarita Vihar Metro Station, he called his son, respondent No. 3, to pick him up. He thereafter proceeded towards his residence at Aali Vihar along with respondent Nos. 3 and 4, his son and nephew, respectively. Upon reaching near their lane, a dog was allegedly obstructing the road, whereupon respondent No. 3, who was driving the car, sounded the horn. The petitioners, who were present at the spot, allegedly objected to the same, resulting in an altercation. During the ensuing altercation, petitioner No. 1 allegedly pulled respondent No. 3 out of the car and repeatedly struck him on the head with a stick. When respondent No. 2 and respondent No. 4 intervened, they were also allegedly assaulted by the petitioners. Respondent No. 3 fell to the ground during the assault, following which the assailants fled the spot. As a result of the incident, respondent No. 3 sustained two lacerations on his head, while respondent No. 2 suffered swelling and tenderness in his right hand.

5. During the pendency of the proceedings, the parties amicably resolved their disputes and entered into a Compromise Deed dated 02.12.2025, without any monetary consideration.

6. Respondent No. 2, who is present in Court alongwith respondent Nos. 3 and 4, affirms that the settlement has been arrived at voluntarily and without any coercion, pressure or undue influence. He further states



that he has no objection to the quashing of the FIR and all consequential proceedings arising therefrom.

7. Respondent No. 3, who is also present in Court, states that the head injuries sustained by him in the incident required stitches but have since healed completely, and that he has suffered no lasting or residual effects from the same.

8. In light of the aforesaid settlement, the parties seek quashing of the impugned FIR and all consequential proceedings arising therefrom.

9. Learned counsel for the parties submit that the parties have entered into a settlement voluntarily, without any coercion, undue influence, or pressure.

10. The Supreme Court has consistently held that, in appropriate cases, the High Courts may exercise their inherent powers under Section 528 of the BNSS, corresponding to Section 482 of the CrPC, to quash criminal proceedings, even in respect of non-compoundable offences, where the parties have amicably resolved their disputes and the continuation of such proceedings would not serve any overriding public interest.

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

¹ (2012) 10 SCC 303.



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

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

12. The present case arises out of a scuffle between parties who were known to each other and reside in the same neighbourhood. The incident, as alleged, did not involve the use of any sharp weapon or firearm, and the injuries sustained by the respondents have since healed without any lasting or residual effects. During the pendency of the proceedings, the



parties have amicably resolved their disputes and have expressed their desire to maintain cordial relations in the future. Respondent Nos. 2 to 4, who continue to reside in the same locality as the petitioners, have also categorically stated before the Court that they harbour no subsisting grievance against the petitioners and have no objection to the proceedings being brought to an end. In these circumstances, continuation of the criminal proceedings would serve no meaningful purpose and would only perpetuate discord and animosity between parties who are likely to remain in each other's vicinity. The ends of justice would, therefore, be better served by bringing the proceedings to a quietus.

13. In view of the voluntary settlement arrived at between the parties, the nature of the allegations, and the categorical statement made by respondent No. 2 before this Court, the likelihood of the proceedings culminating in a conviction is remote. In these circumstances, continuation of the criminal proceedings would serve no useful purpose. It is also evident that quashing of the FIR and all consequential proceedings emanating therefrom would not adversely affect any overriding public interest.

14. However, having regard to the nature of the allegations and the circumstances in which the present proceedings have arisen, I am of the view that it would be appropriate to make the relief sought subject to the petitioners undertaking community service and paying appropriate costs.

15. The petitioners shall collectively pay costs of Rs.10,000/- to the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High

⁴ Emphasis supplied.



Court Branch] within a period of two weeks. The petitioners shall also undertake community service comprising 6 sessions of 2 hours each at the All India Institute of Ayurveda, Badarpur, New Delhi. For this purpose, they shall report to the Medical Superintendent of the Hospital on 31.08.2026 at 11:00 a.m. The Medical Superintendent is requested to prescribe a suitable schedule for the community service and assign appropriate duties to the petitioners. The community service shall be completed within a period of 2 months from the date of commencement thereof. Upon completion of the community service, the Medical Superintendent is requested to issue a certificate of compliance, which shall be placed on record by the petitioners within two weeks thereafter.

16. Subject to compliance with the aforesaid conditions, the present petition is allowed. Consequently, FIR No. 649/2025 dated 01.09.2025, registered at Police Station Sarita Vihar, Delhi, for offences punishable under Sections 110, 115(2) and 3(5) of the BNS, along with all consequential proceedings emanating therefrom, is hereby quashed.

17. The parties shall remain bound by the terms of the settlement.

18. The petition, alongwith the pending applications, accordingly stand disposed of.

PRATEEK JALAN, J

AUGUST 19, 2026

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