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

CNR No. DLHC011021302025

+ **CRL.M.C. 8959/2025**

PRADEEP KUMAR

.....Petitioner

Through: Mr. Himanshu Verma, Advocate
alongwith petitioner in person.

versus

STATE GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Hitesh Vali, APP.
Mr. Hitesh Saini, Advocate for R-2
and R3 alongwith R2 and R3 on
video conference.
ACP Mahar Prasad and SI
Samender Singh.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **12.08.2026**

1. By way of the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]), the petitioner seeks quashing of FIR No. 159/2021, dated 08.06.2021, registered at Police Station Chandni Mahal, District Central, Delhi, under Sections 354D/509 of the Indian Penal Code, 1860 ["IPC"], along with all proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Hitesh Saini,



learned counsel, accepts notice on behalf of respondent Nos. 2 and 3.

3. The petitioner is present in Court and has been identified by his learned counsel as well as by the Investigating Officer. Respondent Nos. 2 and 3 are present through video conference and have been identified by their learned counsel and the Investigating Officer.

4. The impugned FIR has been registered at the instance of respondent No. 2, while respondent No. 3, her sister, is also a victim in the matter. The allegations arising out of the FIR are that, in the year 2021, respondent No. 2 received obscene and vulgar messages, photographs and missed calls on her Facebook account from an unknown person, who is stated to be the petitioner herein. The photographs sent to respondent No. 2 were of respondent No. 3, who had been living separately from her husband [since deceased] since 2018. Upon being asked about the photographs, respondent No. 3 stated that the same had been taken by her husband. The sender of the messages and photographs had also claimed that he had received the said photographs from respondent No. 3's husband.

5. Pursuant to the aforesaid allegations, a chargesheet was filed against the petitioner and the husband of respondent No. 3, invoking Sections 354C/509 of the IPC and Sections 66E/67 of the Information Technology Act, 2000 ["IT Act"].

6. The Mahila Court, vide order dated 09.02.2024, framed charges against the petitioner and the husband of respondent No. 3 under Sections 66(E)/67/67A of the IT Act and Section 509 of the IPC.

7. The husband of respondent No. 3, however, passed away on 14.09.2025. His death has been verified, and the Death Certificate forms



part of the status report handed up in Court by Mr. Vali, learned APP, which is taken on record.

8. Mr. Vali submits that the principal allegations are against the husband of respondent No. 3, who has since expired. It is also relevant to note that, by order dated 16.12.2025, this Court had recorded the submissions made by Mr. Himanshu Verma, learned counsel for the petitioner, that the husband of respondent No. 3 had uploaded her obscene photographs using the Facebook account of the petitioner and had shared the same with respondent No. 2.

9. During the pendency of the proceedings, the petitioner and respondent Nos. 2 and 3 arrived at an amicable settlement vide Compromise Deed dated 27.11.2025, which records that the FIR came to be registered on account of a misunderstanding between the parties.

10. Learned counsel for the parties confirm that the aforesaid settlement has been entered into voluntarily and without force, fraud or coercion. Respondent Nos. 2 and 3, who are present before the Court, also state that the allegations arose out of a misunderstanding and that they have no objection to the quashing of the impugned FIR.

11. In light of the aforesaid, the parties have approached this Court seeking quashing of the impugned FIR, alongwith consequential proceedings.

12. The Supreme Court has clearly held that, in certain circumstances, the High Court, in exercise of its inherent powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), can quash criminal proceedings even in respect of non-compoundable offences on the ground that the parties have arrived at a settlement, particularly where



no overriding public interest is adversely affected.

13. 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

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

14. Applying the aforesaid principles to the facts of the present case, it is evident that the dispute between the parties is essentially personal in nature. There is no material to demonstrate any deliberate or conscious attempt on the part of the petitioner to promote communal disharmony or enmity. The principal allegations are stated to be against the husband of respondent No. 3, who has since expired. In the interregnum, the petitioner and respondent Nos. 2 and 3 have amicably resolved their differences and wish to move on with their lives. Respondent Nos. 2 and 3 have also categorically stated that the allegations in the present matter arose out of a misunderstanding and that they have no objection to the quashing of the impugned FIR.

15. In these circumstances, no overriding public interest would be served by permitting the criminal proceedings, which emanate from a private dispute, to continue, particularly when the matter stands settled between the parties and the principal accused has expired. The possibility of the proceedings culminating in a conviction is, therefore, remote and bleak. Their continuation would serve no practical purpose and would amount merely to a formal exercise, unnecessarily burdening the administration of justice and expending public resources.

16. In view of the foregoing, the petition is allowed. Accordingly, FIR No. 159/2021, dated 08.06.2021, registered at Police Station Chandni Mahal, District Central, Delhi, under Sections 354D/509 of the IPC,

⁴ Emphasis supplied.



along with all proceedings emanating therefrom, is hereby quashed.

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

18. The petition, alongwith any pending applications, accordingly, stands disposed of.

PRATEEK JALAN, J

AUGUST 12, 2026
SS/MK/