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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9258/2025, CRL.M.A. 38648/2025
SUMAN & ORS.Petitioner
Through: Mr. Mohan Shyam Arya

versus

THE GOVT OF NCT OF DELHI & ANR.Respondent
Through: Ms. Manjeet Arya, APP with IO
Respondent.
Mr. M. Shakeel, Advocate for R2.

+ CRL.M.C. 7/2026
MAHINDRI DAHIYA & ORS.Petitioner
Through: Mr. M. Shakeel, Advocate.

versus

THE GOVT OF NCT OF DELHI & ANR.Respondent
Through: Ms. Manjeet Arya, APP
Mr. Mohan Shyam Arya for R2.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
25.03.2026

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1. The present petitions are 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 two cross-FIRs, being FIR No. 329/2019 [subject matter of CRL.M.C. 9258/2025] dated 20.09.2019 under Sections 323/341/354/354B/506/509/34 of the Indian Penal Code, 1860 ["IPC"] and FIR No. 330/2019 [subject matter of CRL.M.C. 7/2026] dated



20.09.2019 under Sections 323/324/452/354/354B/506/509/34 of the IPC and Section 3(1)(r) of the Scheduled Castes And The Scheduled Tribes (Prevention Of Atrocities) Act, 1989 [“SC/ST Act”]. Both FIRs are registered at Police Station Neb Sarai, District South, Delhi. The petitions are founded on a compromise arrived at between the parties, and the respective complainants in the two FIRs have been arrayed as respondent No. 2 in both the petitions. Respondent No. 2 in CRL.M.C. 9258/2025 [complainant in FIR No. 329/2019] is arrayed as a petitioner in CRL.M.C. 7/2026, i.e. an accused in FIR No. 330/2019, and respondent No. 2 in CRL.M.C. 7/2026 [complainant in FIR No. 330/2019] is arrayed as a petitioner in CRL.M.C. 9258/2025 [accused in FIR No. 329/2019].

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State in both petitions. Mr. M. Shakeel, learned counsel, accepts notice on behalf of respondent No. 2 in CRL.M.C. 9258/2025. Notice is also accepted by Mr. Mohan Shyam Arya, learned counsel, on behalf of respondent No. 2 in CRL.M.C. 7/2026.

3. The petitions are taken up for hearing together with the consent of learned counsel for the parties.

4. The parties are neighbours residing in the same building in E-Block, Jawahar Park, Khanpur Ext., Delhi, and the dispute arose due to non-payment of maintenance charges of the building.

5. In CRL.M.C. 9258/2025, FIR No. 329/2019 was registered upon the complaint of respondent No. 2 therein, alleging harassment by their neighbours, being Suman and Mohan Shyam Arya, over maintenance charges in the building. She alleged threats, abuse, and assault, including



an incident on 19.09.2019, wherein she and her husband were allegedly beaten by the neighbours and their associates, causing injuries. Upon completion of investigation, a chargesheet was filed.

6. In CRL.M.C. 5815/2025, FIR No. 132/2009 was registered upon the complaint of respondent No. 2 therein, alleging assault, tearing her clothes, and abusing, including use of casteist slurs by her neighbours and their associates on 19.09.2019. Upon completion of investigation, a chargesheet was filed.

7. The parties seek quashing of the FIRs on the ground that they have now decided to bury the hatchet. To this effect, the parties have settled their disputes amicably by way of a Memorandum of Understanding dated 18.08.2025, without any monetary consideration. Affidavits of the respective complainants have been placed on record, affirming the voluntary nature of the settlement and conveying their no objection to the quashing of the impugned FIRs and all consequential proceedings.

8. All parties are present in Court and are identified by the Investigating Officer and by their learned counsel. The parties have confirmed before the Court that they have settled their disputes, and do not wish to proceed with the criminal proceedings against each other. In FIR No. 330/2019 [subject matter of CRL.M.C. 7/2026], there were three injured persons, but only the complainant has been a party. The other two injured persons, i.e. Mr. Banwari Lal and Ms. Tara Devi [petitioner Nos. 2 and 5 in CRL.M.C. 9258/2025 respectively], however, are present in Court, and state that they also have no objection to the quashing of the said FIR. Learned counsel for the parties state that all allegations made against each other were born out of a misunderstanding, owing to trivial



neighbourhood issues between them.

9. 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.

10. 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

¹ (2012) 10 SCC 303.



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.

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

11. The Supreme Court, in its three-Judge Bench decision in *Ramawatar v. State of M.P.*⁵, has clearly held that the High Court, in exercise of its inherent powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), is competent to quash criminal proceedings even in cases arising under “special statutes”. The Supreme Court specifically clarified that this power extends to offences under the SC/ST Act as well, and held as follows:

“16. Ordinarily, when dealing with offences arising out of special statutes such as the SC/ST Act, the Court will be extremely circumspect in its approach. The SC/ST Act has been specifically enacted to deter acts of indignity, humiliation and harassment against members of Scheduled Castes and Scheduled Tribes. The Act is also a recognition of the depressing reality that despite undertaking several measures, the Scheduled Castes/Scheduled Tribes continue to be subjected to various atrocities at the hands of upper castes. The courts have to be mindful of the fact that the Act has been enacted keeping in view the express constitutional safeguards enumerated in Articles 15, 17 and 21 of the Constitution, with a twin-fold objective of protecting the members of these vulnerable communities as well as to provide relief and rehabilitation to the victims of caste-based atrocities.

⁴ Emphasis supplied.

⁵ (2022) 13 SCC 635 [hereinafter, “*Ramawatar*”].



17. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a “special statute” would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482CrPC.

18. Adverting to the case in hand, we note that the present appellant has been charged and convicted under the unamended Section 3(1)(x) of the SC/ST Act [Section 3(1)(x) of the Act stands substituted by Act 1 of 2016 w.e.f. 26-1-2016.] , which was as follows:

“3. Punishments for offences of atrocities.—(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe—

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;”

19. We may hasten to add that in cases such as the present, the courts ought to be even more vigilant to ensure that the complainant-victim has entered into the compromise on the volition of his/her free will and not on account of any duress. It cannot be understated that since members of the Scheduled Caste and Scheduled Tribe belong to the weaker sections of our country, they are more prone to acts of coercion, and therefore ought to be accorded a higher level of protection. If the courts find even a hint of compulsion or force, no relief can be given to the accused party. What factors the courts should consider, would depend on the facts and circumstances of each case.

20. Having considered the peculiar facts and circumstances of the present case in light of the aforesaid principles, as well as having meditated on the application for compromise, we are inclined to invoke the powers under Article 142 and quash the instant criminal proceedings with the sole objective of doing complete justice between the parties before us. We say so for the reasons that:



20.1. Firstly, the very purpose behind Section 3(1)(x) of the SC/ST Act is to deter caste-based insults and intimidations when they are used with the intention of demeaning a victim on account of he/she belonging to the Scheduled Caste/Scheduled Tribe community. In the present case, the record manifests that there was an undeniable pre-existing civil dispute between the parties. The case of the appellant, from the very beginning, has been that the alleged abuses were uttered solely on account of frustration and anger over the pending dispute. Thus, the genesis of the deprecated incident was the aforestated civil/property dispute. Considering this aspect, we are of the opinion that it would not be incorrect to categorise the occurrence as one being overwhelmingly private in nature, having only subtle undertones of criminality, even though the provisions of a special statute have been attracted in the present case.

20.2. Secondly, the offence in question, for which the appellant has been convicted, does not appear to exhibit his mental depravity. The aim of the SC/ST Act is to protect members of the downtrodden classes from atrocious acts of the upper strata of the society. It appears to us that although the appellant may not belong to the same caste as the complainant, he too belongs to the relatively weaker/backward section of the society and is certainly not in any better economic or social position when compared to the victim. Despite the rampant prevalence of segregation in Indian villages whereby members of the Scheduled Caste and Scheduled Tribe community are forced to restrict their quarters only to certain areas, it is seen that in the present case, the appellant and the complainant lived in adjoining houses. Therefore, keeping in mind the socio-economic status of the appellant, we are of the opinion that the overriding objective of the SC/ST Act would not be overwhelmed if the present proceedings are quashed.

20.3. Thirdly, the incident occurred way back in the year 1994. Nothing on record indicates that either before or after the purported compromise, any untoward incident had transpired between the parties. The State Counsel has also not brought to our attention any other occurrence that would lead us to believe that the appellant is either a repeat offender or is unremorseful about what transpired.

20.4. Fourthly, the complainant has, on her own free will, without any compulsion, entered into a compromise and wishes to drop the present criminal proceedings against the accused.

20.5. Fifthly, given the nature of the offence, it is immaterial that the trial against the appellant had been concluded.



20.6. *Sixthly, the appellant and the complainant parties are residents of the same village and live in very close proximity to each other. We have no reason to doubt that the parties themselves have voluntarily settled their differences. Therefore, in order to avoid the revival of healed wounds, and to advance peace and harmony, it will be prudent to effectuate the present settlement.”⁶*

12. Applying the principles to the present case, it appears to me to be a fit case in which the inherent power of this Court can be used to quash the cross-FIRs. The present matters arise out of a neighbourhood dispute between two families who were residing in the same building in E-Block, Jawahar Park, Khanpur Ext., Delhi. The matters have remained pending for over six years. I am informed by learned counsel for the parties that the parties continue to reside in the same locality. The allegations under Section 354/354B and of IPC, and Section 3(1)(r) of the SC/ST Act appear to have arisen out of a neighbourhood misunderstanding between them, having its genesis in non-payment of maintenance charges of the building. The factors considered by the Supreme Court in paragraphs 20.1 to 20.6 of *Ramawatar* apply in the present case also, to the extent that the disputes appear to arise from personal acrimony, parties continue to be neighbours of similar socio-economic standing, considerable time has lapsed without further incident, and the settlement has been affirmed as voluntary. The injuries suffered by the parties as per the MLCs were also simple in nature. I am satisfied that no heinous criminality is involved in the present case. Quashing of the FIRs, in these circumstances, would permit the parties to live in peace and harmony, rather than compounding the animosity. As the parties have amicably settled their disputes, it is also unlikely that further proceedings would result in convictions.

⁶ Emphasis supplied.



Continuation of criminal proceedings in the present FIRs would, in my view, be an unnecessary diversion of judicial resources.

13. The petitions are, therefore, allowed, and all proceedings emanating from FIR No. 329/2019 [subject matter of CRL.M.C. 9258/2025] dated 20.09.2019 under Sections 323/341/354/354B/506/509/34 of the Indian Penal Code, 1860 [“IPC”] at P.S. Neb Sarai and FIR No. 330/2019 [subject matter of CRL.M.C. 7/2026] dated 20.09.2019 under Sections 323/324/452/354/354B/506/509/34 of the IPC and Section 3(1)(r) of the SC/ST Act at P.S. Neb Sarai, are hereby quashed.

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

PRATEEK JALAN, J

MARCH 25, 2026
SV/AD/