



2026:DHC:8183



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 21st September, 2026**# **CNR No. DLHC010448832026**+ **CRL.M.C. 7029/2026 & CRL.M.A. 29346/2026****ASHISH SHARMA ALIAS SONU AND ORS.Petitioners****Through: Mr. Harish Kumar, Ms. Renu and Mr. Arjun Singh, Advs., along with petitioners in person.****Mob: 9560032419****Email: arjunsingh1959@gmail.com****versus****STATE OF NCT OF DELHI & ANR.Respondents****Through: Mr. Bhavit Sharma, Adv. for R-2, along with respondent no. 2 in person.****Mob: 9310002707****Email: bhavit89@gmail.com****Mr. Sunil Kumar, APP****Mob: 9871349009****Email: sunil.skgautam@gmail.com****Mr. Vikram Singh, SHO/Prem Nagar along with Mr. Dalleir Dingh, S.I.****Mob: 8750870322****CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral):**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), corresponding to Section 428 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First Information Report ("FIR") being *FIR 0562/2024* dated 28th October, 2024, filed under Section 351(3) of the Bharatiya Nyaya Sanhita, 2023



(“BNS”), and Section 3(1)(r)/3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (“ST/ST Act”), registered at Police Station (“PS”)-Prem Nagar, Rohini District, Delhi.

2. Issue notice. Notice is accepted by learned Additional Public Prosecutor (“APP”) for the State and learned counsels appearing for respondent nos. 1 and 2.

3. Learned APP for the State submits that since the present petition pertains to the SC/ST Act, he opposes quashing of the same on that account.

4. The facts on record, are culled out as follows:

4.1. The petitioners and the respondent no. 2 are carrying out the business of property dealing in the same area.

4.2. There was a dispute between the petitioners and respondent no. 2 in regards to a property of the petitioners situated in *Sharma Enclave*. During the settlement of the property dispute, some heated argument took place between them.

4.3. On 17th October, 2024, at around 03:00 PM and 04:30 PM, all the petitioners arrived at *Sharma Enclave Om Prakash, Goyal Property*, near *Baba Balaknath Mandir Sharma Enclave, Mubarakpur Dabas, Kirari Suleman Nagar, Delhi*, and started abusing respondent no. 2 by using certain casteist slurs/remarks.

4.4. Thereafter, respondent no. 2, i.e., Rajesh Kumar filed *FIR 0562/2024* against the petitioners on 28th October, 2024, at PS-Prem Nagar, Rohini District, Delhi.

5. Today, this Court is informed that the investigation in the connection with the *FIR 0562/2024* has been completed and the Chargesheet has also been filed by the Investigating Officer before the concerned Court.



6. Learned counsel appearing for respondent no. 2 submits that when the dispute arose, respondent no. 2 was not initially present at the site of occurrence of the incident. In addition, he submits that it was only later that respondent no. 2 was informed by some other people with regard to the petitioners having made certain caste related remarks against respondent no. 2.

7. In response, learned counsel appearing for the petitioners, upon instructions from the petitioners, submits that no such caste related remarks were made by the petitioners and that the allegations are merely based on hearsay evidence.

8. Learned counsel appearing for the respondent no. 2 confirms the aforesaid fact and submits that he never directly heard any caste related slurs/remarks from the petitioners at the time of the incident.

9. It is submitted that the petitioners and the respondent no. 2 have resolved their dispute with the intervention of family members, relatives and neighbour/friends from both the sides, and have arrived at a Deed of Comprise/Memorandum of Understanding on 01st September, 2026.

10. It is further submitted that since the parties have resolved their dispute, respondent no. 2 has no objection if the *FIR 0562/2024*, registered against the petitioners herein is quashed.

11. Having heard learned counsels for both the parties, this Court notes the submissions of the petitioners and respondent no. 2 that the dispute between the parties was civil in nature, and that there were no casteist slurs/remarks made by the petitioners or heard by respondent no. 2.

12. The respondent no. 2, who is present in person before this Court, confirms the fact that the FIR was lodged on the basis of hearsay evidence



from other people of the locality.

13. This Court notes that the Supreme Court in the judgment dated 25th October, 2024, in the case of *Ramavatar Versus State of Madhya Pradesh, Criminal Appeal 1393/2011*, has categorically held that when the dispute is primarily private or civil in nature and where the alleged offence has not been committed on account of the caste of the victim, the Court can exercise its powers to quash the proceedings.

14. The relevant portions from the said judgment, are extracted as below:

“xxx xxx xxx

16. 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 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 482 Cr.P.C.

xxx xxx xxx

19. Having considered the peculiar facts and circumstances of the present case in light of the afore-stated 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:

Firstly, the very purpose behind Section 3(1)(x) of the SC/ST 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 afore-stated 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.

xxx xxx xxx”

(Emphasis Supplied)

15. Similarly, this Court finds that in the present case, parties have unequivocally submitted that the dispute was only civil in nature, arising out of a property related issue, as both the parties are living in the same vicinity and involved in the same business of property dealing.

16. This Court further notes that the alleged offence in the present case does not involve heinous crime and pertains to personal and private issues, making it a fit case for quashing of an FIR as enumerated under the principles laid down by the Supreme Court in the case of **Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303**. The relevant portion of the judgment, is reproduced as under:

“xxx xxx xxx

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.

xxx xxx xxx”

(Emphasis Supplied)

17. Accordingly, this Court is of the view that where a settlement has been reached between the parties, continuation of criminal proceedings would serve no public interest and would cause undue hardship to the parties.

18. This Court records the statement made by learned counsels for the parties that the settlement has been reached out of their own free will and without any coercion.

19. This Court further records the statement made by learned counsel



appearing for respondent no. 2 that the respondent no. 2 does not wish to pursue the proceedings in connection with the *FIR 0562/2024*, any further.

20. Accordingly, the present case satisfies the requirements as laid down by the Supreme Court in the case of *Narinder Singh and Others Versus State of Punjab and Another, (2014) 6 SCC 466*, wherein, it has been held that Courts should quash the criminal proceedings, if the matter is of a personal nature and has been amicably resolved. The relevant observations in the said decision read as under:

“xxx xxx xxx

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.

xxx xxx xxx”

(Emphasis Supplied)

21. Accordingly, considering the submissions made before this Court, the present petition is allowed with costs.

22. Thus, *FIR 0562/2024* dated 28th October, 2024, registered under Section 351(3) of the BNS and Section 3(1)(r)/3(1)(s) of the ST/ST Act, at PS-Prem Nagar, Rohini District, Delhi, against the petitioners alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

24. Having regard to the circumstances giving rise to the impugned FIR, i.e., *FIR 0562/2024* and the nature of allegations therein, it is directed that the petitioners shall deposit a lump sum amount of Rs. 15,000/- as costs,



2026:DHC:8183



with the Delhi High Court Bar Association Fund.

25. Accordingly, the petition along with the pending application is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 21, 2026/SK