



2026:DHC:8948



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 06th October, 2026**# **CNR No. DLHC010480662026**+ **CRL.M.C. 7483/2026 & CRL.M.A. 31297/2026****DINESH KUMAR SHARMA & ANR.**

.....Petitioners

Through: Mr. Shivam Bhardwaj, Adv., along
with petitioners in person
Mob: 8368201897

versus

THE STATE GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State, along with Ms. Kalpana Jha
and Mr. Siddharth Shankar Jha, Adv.
Mob: 9810442918
Email: nawalcishorejha@live.com
Mr. B.L. Sharma, Adv. for R-2, along
with R-2 in person
Mr. Pankaj Kumar, SI, PS Jyoti Nagar
Mob: 7905091459

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")/Section 482 of the Code of
Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First
Information Report ("FIR") being *FIR No. 0664/2021*, dated 20th November,
2021, registered at Police Station ("PS") Jyoti Nagar, North East, Delhi,



under Sections 509/506/34/354(D) of the Indian Penal Code, 1860 (“IPC”), and all consequential proceedings emanating therefrom, on the ground of settlement between the parties.

2. Issue notice.

3. Notice is accepted by the learned Additional Public Prosecutor (“APP”) for the State as well as learned counsel appearing for respondent no. 2.

4. The parties are present in Court, and are identified by their respective counsels as well the Investigating Officer (“IO”), who is also present in Court.

5. The captioned petition is taken up for disposal with the consent of the parties.

6. The facts, culled out from the record, relevant for adjudication of the captioned petition are as follows:

6.1. The FIR in question came to be lodged on 20th November, 2021, pursuant to a written complaint by respondent no. 2, i.e., the complainant, to the Station House Officer (“SHO”), PS Jyoti Nagar, North East, Delhi. The complainant alleged that the petitioners have repeatedly misbehaved with her and hurled abusive words at her. She further stated that the petitioners have tried to break open the door of her residence and threatened her on multiple occasions.

6.2. Subsequently, investigation was undertaken by the Police, pursuant to which, a Chargesheet dated 13th May, 2024, under Sections 509/506/34/354(D) of the IPC was filed against the petitioners.

6.3. During the pendency of the proceedings the parties have amicably resolved all their disputes *vide* Memorandum of Undertaking (“MOU”)



dated 20th September, 2026.

6.4. By way of the said MOU, the parties agreed to not contact each other in future, and that the petitioners shall not try to visit respondent no. 2 in any manner.

6.5. Further, *vide* the said MOU, the parties agreed to cooperate with each other in the quashing of the FIR in question.

7. Learned counsels appearing for the parties jointly submit that the parties have entered into the MOU dated 20th September, 2026.

8. In light of the aforesaid, the parties seek quashing of the FIR in question.

9. This Court has interacted with the petitioners, who submit that they shall not repeat such things ever in life.

10. This Court has also interacted with respondent no. 2, who submits that on account of the MOU dated 20th September, 2026, she accepts the apology of the petitioners and does not wish to pursue the present matter any further.

11. Learned APP for the State submits that in view of the offences alleged to have been committed by the petitioners, some cost be imposed upon the petitioners.

12. Having heard learned counsels appearing for the parties, this Court notes that the matter has finally been settled between the parties.

13. It is no longer *res-integra* that this Court has the power to quash the criminal proceedings in cases of non-compoundable offences under the CrPC (Now the BNSS), wherein, the parties have settled the matter between themselves.

14. 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 Cr.P.C), 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.

15. The Supreme Court in the case of ***Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303***, has held as follows:

“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)

16. Further, in the case of ***Narinder Singh and Others. Versus State of Punjab and Another, (2014) 6 SCC 466***, the Supreme Court has laid down guidelines for the High Courts while accepting Settlement Deeds between the parties and quashing the proceedings. 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)

17. It is also to be noted that this Court in the case of ***Deepak Kumar Versus State (Govt. of NCT) of Delhi and Another., 2024 SCC OnLine Del 1305***, while quashing an FIR on the basis of settlement between the parties, held as follows:

“xxx xxx xxx

6. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no



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generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

xxx xxx xxx”

(Emphasis Supplied)

18. Considering the submissions made before this Court, the *FIR No. 0664/2021*, dated 20th November, 2021, registered at PS Jyoti Nagar, North East, Delhi, under Sections 509/506/34/354(D) of the IPC, along with the consequential proceedings arising therefrom, is hereby quashed.

19. However, considering the facts and circumstances of the present case, the petitioners are directed to deposit a cost of Rs. 30,000/- payable to the Delhi High Court Bar Association Lawyers Social Security & Welfare Fund, within a period of two weeks, from today. The details of the said Association are as follows:

***DHCBA Lawyers Social Security
& Welfare Fund Association***

Account No. 15530100009730

IFSC Code: UCBA0001553

Bank Name: UCO Bank

Branch: Delhi High Court

20. The proof of cost shall be placed before this Court, as well as with the concerned Investigating Officer (“IO”)/SHO, within one week of payment of the aforesaid cost.

21. The present petition, along with the pending application, is accordingly allowed and disposed of.

MINI PUSHKARNA, J

OCTOBER 6, 2026/SK