



2026:DHC:8974



\$~70

* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision : 08.10.2026

CNR No. DLHC010487602026

+ W.P.(CRL) 3192/2026

HARJINDER SINGH ALIAS HARRY ARORAPetitioner

Through: Mr. Arjun Bansal, Adv. along with
Petitioner-In Person

versus

STATE GOVT. OF NCT OF DELHI AND AN R.Respondents

Through: Mr. Amol Sinha (ASC) along with
Mr. Kshitiz Garg, Mr. Ashvini
Kumar, Mr. Nitish Dhawan, Ms.
Komal Chauhan, Advs.
Mr. Ravi Kumar, Mr. Jagat Lamba,
Mr. Yash Arora, Advs. for R2
SI Pooja (PS: Malviya Nagar)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)CrI.M.A.31742/2026 (Exemption from filing certified copies of annexures)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 3192/2026

3. The present petition has been filed by the petitioner under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") for quashing of the FIR No. 0234/2026 dated 01.07.2026 registered at P.S. Malviya Nagar under Section 69 of the Bharatiya Nyaya Sanhita ("BNS"), and all proceedings emanating



2026:DHC:8974



therefrom.

4. The allegations in the FIR are that complainant/ respondent no. 2, aged about 35 years, met the petitioner through a matrimonial website “Shaadi.com” in October 2023.

5. It is alleged that the petitioner represented himself to be unmarried and promised to marry complainant/ respondent no. 2. They remained in a relationship from about April 2024 onwards. It is further alleged in the FIR that, sometime in April 2026, the complainant/ respondent no. 2 discovered that the petitioner had already been married since August 2023.

6. The complaint lodged by complainant/ respondent no. 2 also contains allegations of financial exploitation by the petitioner, including alleged transfers of money, availing of a gold loan, and transactions relating to a car and a mobile phone.

7. The petitioner remained in judicial custody since 04.07.2026 and was granted regular bail *vide* order dated 23.07.2026 passed by the learned ASJ-02, Saket Courts, Delhi. Respondent No. 2 did not oppose the bail application preferred by the petitioner.

8. Subsequently, the parties are stated to have settled their disputes by entering into a Memorandum of Understanding (MoU) dated 22.08.2026.

9. The complainant/ respondent no. 2 is present in person.

10. In response to a query of this Court, she categorically submits that she is not desirous of pursuing the matter inasmuch as she wishes to move on and put aforesaid incident/s behind her. She further submits that the FIR was registered due to a misunderstanding between the parties.

11. In ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303, the Supreme



Court held that, while heinous and serious offences cannot be quashed merely because the parties have settled, the categories are illustrative and each case must depend on its own facts. The relevant observations are as follows:-

“57. Quashing of offence or criminal proceedings on the ground of settlement between an offender and victim is not the same thing as compounding of offence. They are different and not interchangeable. Strictly speaking, the power of compounding of offences given to a court under Section 320 is materially different from the quashing of criminal proceedings by the High Court in exercise of its inherent jurisdiction. In compounding of offences, power of a criminal court is circumscribed by the provisions contained in Section 320 and the court is guided solely and squarely thereby while, on the other hand, the formation of opinion by the High Court for quashing a criminal offence or criminal proceeding or criminal complaint is guided by the material on record as to whether the ends of justice would justify such exercise of power although the ultimate consequence may be acquittal or dismissal of indictment.

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.

61. *The position that emerges from the above discussion can be summarised thus : the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement*



and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

12. The said principles were reiterated in ***Narinder Singh v. State of Punjab***, (2014) 6 SCC 466, wherein the Supreme Court laid down guidelines for the exercise of this power. The Court held that the power is to be exercised sparingly and with caution, and that the High Court must examine whether the possibility of conviction is remote and bleak. The relevant observations are as follows:-

“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



2026:DHC:8974



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.

29.5. 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.”

13. The gravamen of section 69 BNS lies in the alleged deceit practiced upon the complainant within a personal relationship. Where the complainant herself has chosen to put the episode behind her and move on with her life, the possibility of conviction becomes remote and bleak. Compelling her to pursue the prosecution against her will would not serve the very interest that the provision seeks to protect. The matter, therefore, falls to be examined on the touchstone laid down in the aforesaid judgments.

14. In the present case, the following factors weigh with this Court:-

- i. The statement of the complainant that the allegations were occasioned on account of a misunderstanding; the fact that she is desirous of putting the incident behind her, and is not interested in pursuing her complaint/ allegations.
- ii. She further submits that an MoU was arrived at out of her own free will and without any duress, threat, coercion or undue influence.
- iii. It is further stated by her that continuing investigation and trial would compel her to relive an episode which she has consciously chosen to put behind. This would not serve her interest which the offence under Section 69 BNS seeks to protect

15. For these reasons, the Court is satisfied that the ends of the justice



2026:DHC:8974



would be better served by giving effect to the settlement than by continuing the proceedings.

16. Accordingly, the FIR No. 0234/2026 dated 01.07.2026 registered at P.S. Malviya Nagar and all proceedings emanating therefrom are quashed.

17. The petition is disposed of in the above terms.

SACHIN DATTA, J

OCTOBER 8, 2026/uk