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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13.10.2026**# **CNR No. DLHC010307002026**+ **CRL.M.C. 4952/2026 & CRL. M.A. 20759/2026****DEEPAK RAIKWAR**

.....Petitioner

Through: Mr. S.K. Mittal, Ms. Sujata, Mr.
Harish Kumar, Advs.

versus

STATE NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Hemant Mehla (APP) along with
Mr. Mayank Chaudhary, Mr. Mohd.
Naved, Advs.
SI Akansha P.S. K.N.K. Marg.**CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter, "BNSS") seeking quashing of FIR No. 0139/2020 dated 09.05.2020, registered at P.S. K.N. Katju Marg, Delhi, under Sections 354-D and 506 of the Indian Penal Code, 1860 (hereinafter, "IPC"). It is submitted that a settlement has been arrived at between the petitioner and the respondent no.2/ complainant.
2. The allegation in the FIR is that for about 2 months in 2020 the petitioner made repeated phone calls to the respondent no.2, a married woman, from different telephone numbers, teased her, demanded that she establish physical relations with him, and threatened that if she did not do so he would kill her and her husband and would rape her.



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3. It is averred by the petitioner that he was arrested on 13.05.2020 and thereafter released on bail by the learned trial Court.
4. It is pointed out that a Memorandum of Understanding (MOU)/ Settlement Agreement dated 02.06.2026 has been entered into between the parties. It is stated that the parties are related to each other and were on family visiting terms, and that the dispute arose out of a heated exchange and temperamental differences between them.
5. The respondent no.2/complainant has filed a 'no objection' affidavit. The same reads as under:-

NO OBJECTION AFFIDAVIT

I, _____ R/o _____
_____ed about _____ years,
do hereby solemnly affirm and declare as under: -

- 1 That the petitioner has filed petition under section 528 BNSS, seeking quashing of F.I.R. No.139/2020 u/s 354-D/506 I.P.C , P.S. KNK Marg, Delhi lodged by me against the petitioner.
- 2 That being respondent No.2, I am well conversant with facts of the case in all its diversified aspects and therefore competent to swear this affidavit.
3. The deponent that I have amicably settled the dispute with the petitioner and after the receipt of the full and final payment no dispute remains between me and the petitioner.

4. That I have no objection if the present FIR No.139/2020 u/s 354-D/506 I.P.C. lodged by me against the petitioner be quashed.
5. That I have consented to co-operate for quashing of the above-mentioned FIR without any undue influence, coercion or pressure from any corner but with my own free will and consent. I have settled in my life.

VERIFICATION :-

10 JUN 2026

DEPONENT

I, _____ N/O _____ being the
deponent verified at Delhi on this 02nd day of June 2026 that the
contents of my above affidavit are true and correct to the best of my
knowledge and belief.



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6. The parties are identified by the concerned I.O. who is present in Court today.
7. The respondent no.2/ complainant submits that she has settled the matter voluntarily based on her own volition and without any coercion, pressure or undue influence.
8. The legal position is well settled that normally offences involving allegations of Section 354 IPC are normally outside the purview of cases which are permitted to be privately settled. However, there are some peculiar facts of the present case viz. (i) the allegations on phone calls or verbal threats without any physical assault; (ii) the parties are related to each other; (iii) more than 06 years have passed since the registration of the FIR; and (iv) the respondent no.2, a principal witness, has settled and does not wish to proceed.
9. In the circumstances, continuing with the trial would be futile.
10. The Supreme Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303***, has made the following observations *qua* the inherent powers of this Court to quash an FIR on compromise:

*“54. In different situations, the inherent power may be exercised in different ways to achieve its ultimate objective. **Formation of opinion by the High Court before it exercises inherent power under Section 482 on either of the twin objectives, (i) to prevent abuse of the process of any court, or (ii) to secure the ends of justice, is a sine qua non.***

*56. **It needs no emphasis that exercise of inherent power by the High Court would entirely depend on the facts and circumstances of each case. It is neither permissible nor proper for the court to provide a straitjacket formula regulating the exercise of inherent powers under Section 482.** No precise and inflexible guidelines can also be provided.*



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.”

(emphasis supplied)

11. It would be worthwhile to refer to the Supreme Court’s decision in **Narinder Singh v. State of Punjab, (2014) 6 SCC 466**, wherein the Court remarked:



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“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.”

(emphasis supplied)

12. This Court in **Veer Singh v. State NCT of Delhi**, Crl. M.C. 5897/2025 on 25.08.2025, while quashing the FIR registered under the offences of like nature, made the following noteworthy observations:

“8. Although the offence under Section 354/354-B of IPC cannot be treated as strictly ‘in personam’, and they touch upon public concerns rather than being confined to individual grievances, the Court must also account for the practical realities of securing a conviction in the present case. The Supreme Court has consistently held that in cases where the complainant has entered into a voluntary and bona fide settlement, and is no longer inclined to support the prosecution, the prospect of securing a conviction becomes exceedingly remote. In such circumstances, continuing the prosecution may not only prove futile, but would also serve no worthwhile public interest. The Complainant in the present case has categorically expressed her unwillingness to pursue the matter further and has confirmed the settlement as voluntary and devoid of any coercion. Given this background, the continuation of criminal proceedings would amount to an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily. Having regard to the totality of circumstances, and in view of the legal principles laid down by the Supreme Court, this Court finds the present case to be an appropriate one for exercise of jurisdiction under Section 482 of the Cr.P.C. to secure the ends of justice.”

(emphasis supplied)

13. It must also be noted that this Court in **Jazib Jafri v. State (NCT of Delhi)**, 2025 SCC OnLine Del 5889 and **Vimalesh v. State (NCT of Delhi)**, 2026 SCC OnLine Del 4047 quashed an FIR registered under Section 354D



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of the IPC on the basis of a compromise.

14. Considering the aforesaid circumstances and the *dicta* laid down by the Supreme Court, there is no impediment in acceding to the request of the parties for quashing of the aforementioned FIR.

15. Accordingly, FIR No. 0139/2020 dated 09.05.2020, registered at P.S. K.N. Katju Marg, Delhi, under Sections 354-D and 506 of the IPC, 1860 and all proceedings emanating therefrom are quashed. The petitioner shall, however, bear the costs of Rs. 15,000/- to be deposited with the Delhi High Court Legal Services Committee, on account of the public time and resources expended in the adjudication of the present proceedings. Proof of payment shall be filed in the Registry of this Court within four weeks from today.

16. The petition, along with the pending application, is disposed of in the above terms.

OCTOBER 13, 2026/uk,vk,sd

SACHIN DATTA, J