



2026:DHC:9317



\$~143

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

%

Date of Decision: 15.10.2026# **CNR No. DLHC010150712025**+ **CRL.M.C. 1968/2025**

NITISH SINGH @ NITIS SINGH & ANR. Petitioners

Through: Ms. Mahima Ahuja, Adv.

versus

STATE OF NCT DELHI & ANR. Respondents

Through: Mr. Hemant Mehla, APP for State
along with Mr. Mayank Chaudhary,
Mohd. Naved, Adv.Ms. Shivam Mehrotra, Adv. for R-2
along with R-2 in person (through
v/c)

SI Kusum, PS Connaught Place.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeks quashing of FIR No.120/2023 dated 18.07.2023 registered at P.S. Connaught Place, under Sections 354A/509 of the Indian Penal Code, 1860 ('IPC') and the proceedings emanating therefrom.

2. The respondent no.2 was employed as a Counselor at an educational institute during the period between September, 2022 - July, 2023. She made allegations of inappropriate conduct and unjustified penalization against the petitioner no.1, and of inaction on her complaints and withholding of her dues against petitioner no.2.



2026:DHC:9317



3. The petitioner no.1 was the immediate superior of the respondent no.2 at the relevant time. The petitioner no.2 is the founder of the concerned establishment.

4. It is pointed out that a Settlement Agreement dated 04.02.2025 has been executed between the parties and is appended as Annexure P-5 to the present petition. The same reads as under:

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The Second and Third Party agree to pay a total sum of ₹40,000 (Rupees Forty Thousand) to the Complainant as full and final settlement of all claims arising out of FIR No. 120 of 2023 at the time of quashing of FIR and proceedings emanating therefrom.
2. The Second Party, Mr. Nitish Singh, shall issue a written apology to the Complainant, expressing regret for any discomfort or distress caused during her tenure at Alchemist Institute.
3. Upon receipt of the written apology, the Complainant agrees to cooperate fully in filing the necessary petition before the Hon'ble High Court for quashing of FIR No. 120 of 2023, Chargesheets and proceedings emanating therefrom.
4. It is expressly understood that this settlement is not an admission of guilt or wrongdoing by either Mr. Nitish Singh or Mr. Prashant Monga but is entered into to bring about an amicable resolution to the matter.
5. Each party shall bear their respective legal costs incurred in connection with this matter.
6. The terms of this MoU and any related discussions shall remain confidential and shall not be disclosed to any third party without the prior written consent of all parties, except as necessary for legal proceedings.
7. Any dispute arising from this MoU shall be subject to the jurisdiction of the Patiala House Courts.



2026:DHC:9317



5. The respondent no.2 has filed an affidavit which states as under:

AFFIDAVIT OF RESPONDENT NO. 2 / COMPLAINANT

I Ka _____ D/o Al _____ R/o I _____
110C, aged about 37 years, do hereby solemnly
affirm and state as under:

1. I state that I am the Respondent No. 2 in the present Petition and the Complainant in FIR No. 120/2023, registered under Sections 354(A) and 509 IPC, 1860 at Police Station Connaught Place, Delhi, against the Petitioners herein.

2. I state that all disputes and differences between me and the Petitioners have been amicably resolved through a Memorandum of Understanding dated 04.02.2025, and I have received full and final settlement in accordance with the terms of the said agreement.

3. Since all disputes have now been resolved, I hereby give my No Objection for the quashing of FIR No. 120/2023, registered at Police Station Connaught Place, Delhi, against the Petitioners.

4. I state that I have no objection if this Hon'ble Court allows the present Petition and quashes FIR No. 120/2023, along with all consequential proceedings arising therefrom, against the Petitioners.

5. I state that I have read and understood the contents of this Affidavit, and the same are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

6. The respondent no.2 has appeared virtually and submits that she has re-married and does not wish to pursue the matter. She further submits that she has accepted the apology tendered by the petitioners and given that she



2026:DHC:9317



wishes to move past this incident, she is not desirous of pursuing her complaint.

7. Although, allegations of harassment of a woman at the workplace are not to be taken lightly, however, it is noticed, that in the present case the allegations arose in the course of employment and involved dispute/s pertaining to salaries and dues. The said disputes come to an end.

8. The Trial in the matter is also yet to begin.

9. In **Gian Singh vs. State of Punjab**, (2012) 10 SCC 303, the Supreme Court has observed as under:

“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 predominately 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.”

10. The Supreme Court in **Kapil Gupta v. State (NCT of Delhi)**, (2022) 15 SCC 44, while quashing an FIR in a case filed under section 376 IPC made the following observations:

“15. In both the cases, though the charge-sheets have been filed, the charges are yet to be framed and as such, the trial has not yet commenced. It is further to be noted that since Respondent 2 herself is not supporting the prosecution case, even if the criminal trial is permitted to go ahead, it will end in nothing else than an acquittal. If the request of the parties is denied, it will be amounting to only adding one more criminal case to the already overburdened criminal courts.”

11. A coordinate Bench of this Court in **Karan Moolchandani v. State of NCT of Delhi**, CRL.M.C. 5159/2025, decided on 01.08.2025, while dealing with an FIR registered under Sections 354A/354D/509 IPC, arising out of allegations of sexual harassment at the workplace, held as under:

“8. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR no. 252/2022 registered on 19.05.2022 under sections 354(A)/354(D)/509 at PS Naraina and all the other consequential proceeding emanating therefrom.”



2026:DHC:9317



12. In the circumstances, the present petition is allowed.
13. FIR No.120/2023 and all proceedings emanating therefrom are quashed.
14. Since considerable judicial time and public resources have been consumed in pursuing the subject complaint, the petitioners shall pay costs of Rs.25,000/- to the Delhi High Court Legal Services Committee (DHCLSC). The proof of payment of costs shall be filed with the registry within a period of four weeks from today.
15. The petition stands disposed of in the above terms.

SACHIN DATTA, J

OCTOBER 15, 2026/cl