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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 24th September, 2026**# **CNR No. DLHC010457332026**+ **CRL.M.C. 7134/2026 & CRL.M.A. 29830/2026 & 29831/2026****ANIL & ANR.**

.....Petitioners

Through: Mr. Neeraj Bhardwaj, Mr. Siddharth Bhardwaj and Mr. Ujjwal Kumar, Advocates along with petitioner in person
Mob: 9953091927
Email: ujjwalkumar0933@gmail.com

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Shoaib Haider, APP
Mr. Prashant Vaxish, Mr. Sushmit Chauhan and Mr. Anant Attri, Advocates for R-2 with respondent no. 2 in person.
Mob: 8077204805
Email: office.pplc@gmail.com
SI Preeti PS VK South

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 482 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First Information Report ("FIR") being *FIR 245/2025*, dated 30th May, 2025, registered at Police Station ("PS") Vasant Kunj South, South West District,



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Delhi, under Sections 115(2)/79 of the of the Bharatiya Nyaya Sanhita, 2023 (“BNS”), and any consequential proceedings, on the ground of settlement.

2. A Chargesheet dated 07th October, 2025, has been filed by the concerned Investigating Officer (“IO”) in connection with the aforesaid FIR before the Judicial Magistrate First Class, Patiala House Court, Delhi, whereby, petitioner no. 1 has been charged under Sections 115(2)/79/74/3(5)/351 of the BNS, while petitioner no. 2 and Mr. Ganga Ram, have been charged under Sections 79/3(5) of the BNS.

3. Issue notice. Notice is accepted by learned Additional Public Prosecutor (“APP”) appearing for the State, i.e., respondent no. 1, as well as by learned counsel appearing for respondent no. 2, who is present before this Court.

4. As per the documents on record, the following facts have been culled out:

4.1. Petitioner no. 1 is the step-brother of respondent no. 2, and petitioner no. 2, being the wife of petitioner no. 1, is her sister-in-law.

4.2. Mr. Ganga Ram, was the father of respondent no. 2, who passed away on 23rd March, 2026.

4.3. Respondent no. 2 had instituted a suit against Mr. Ganga Ram and the petitioners, being *CS(OS) 816/2022* before this Court seeking partition, permanent injunction and declaration in respect of a property bearing *Khasra no. 517/1, 522, 557, 563/1, 563/2, situated at Ghitorni Village, Tehsil Vasant Vihar, Delhi* (“suit property”). The said suit remains pending before this Court.

4.4. *FIR 245/2025* was registered at the instance of respondent no. 2, who alleged that, upon noticing construction being carried out on the suit



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property, an argument ensued between her and the petitioners, which escalated into the use of abusive and derogatory language and culminated in an assault, causing her injuries.

5. Learned counsel appearing for the petitioners submits that the petitioners and respondent no. 2 have amicably settled their disputes by executing a Memorandum of Understanding (“MoU”) dated 01st September, 2026, whereby, the petitioners have agreed, *inter alia*, to transfer the land measuring 2000 sq. yards in Khasra no. 517/1, measuring 220 feet in length and 81.8 feet in width, in favour of respondent no. 2 by executing a registered Gift Deed/Sale Deed. Further, respondent no. 2 has agreed to withdraw/quash *FIR 245/2025* registered against the petitioners.

6. He submits that in terms of the aforesaid MoU, the petitioners have already executed a Gift Deed in favour of respondent no. 2 on 17th September, 2026.

7. Learned counsel appearing for respondent no. 2 is present before this Court along with respondent no. 2, who is identified by her counsel as well as by the concerned IO.

8. He submits, on instructions, that on account of the MoU executed between the parties, respondent no. 2 does not wish to pursue the proceeding in respect of *FIR 245/2025* any further.

9. The aforesaid statement is taken note of.

10. This Court, however, notes that the offence under Section 74 of the BNS, as alleged against petitioner no. 1, is non-compoundable.

11. The Supreme Court has held that High Courts, exercising powers under Section 528 of the BNSS, may quash criminal proceedings, even for non-compoundable offences, if the concerned parties have arrived at a



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compromise, and particularly when no overarching public interest would be adversely affected by quashing the same.

12. In *Gian Singh Versus State of Punjab and Another*, (2012) 10 SCC 303, the Supreme Court has held 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)

13. Further, in ***Narinder Singh and Others Versus State of Punjab and Another, (2014) 6 SCC 466***, the Supreme Court has laid down the following guidelines for High Courts while accepting settlement deeds between parties and quashing criminal proceedings:

“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)

14. This Court notes that in the present case, the proceedings arise out of a family dispute between petitioner no. 1 and respondent no. 2, who are step-brother and step-sister. They have now amicably settled their disputes.

15. This Court notes that respondent no. 2 has affirmed that she entered into the MoU dated 01st September, 2026, voluntarily and without any coercion, force or undue pressure.

16. In these circumstances, continuation of the proceedings in respect of *FIR 245/2025* would not serve any useful purpose and would only prolong the discord between the parties.

17. Accordingly, it is directed that *FIR 245/2025* dated 30th May, 2025, registered at PS Vasant Kunj South, and all consequential proceedings arising therefrom, are hereby quashed.

18. The parties will remain bound by the terms of the said MoU.

19. The petition, along with the pending applications, is accordingly



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disposed of.

MINI PUSHKARNA, J

SEPTEMBER 24, 2026

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