



2025:DHC:10990



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

% *Date of Decision: December 2, 2025*

+ **CRL.M.C. 8567/2025 & CRL.M.A. 35809/2025**

KARAN .....Petitioner

Through: Mr. Amit Sharma, Adv.  
along with petitioner.

versus

THE STATE (NCT OF DELHI) & ANR. ....Respondent

Through: Mr. Sunil Kumar Gautam,  
APP for the State.  
SI Arjun Kumar, PS  
Paharganj.  
Mr. Parvinder Singh, Adv.  
for R-2 along with R-2 in  
person.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**AMIT MAHAJAN, J. (Oral)**

1. The petitioner seeks quashing of FIR No.355/2025 dated 16.07.2025, registered at Police Station Pahar Ganj, for the offences under Sections 115(2)/126(2)/351(2)/333/78 of the Bharatiya Nyaya Sanhita, 2023 ('**BNS**') and Sections 25/27 of the Arms Act, 1959 ('**Arms Act**'), and all the consequential proceedings emanating therefrom.

2. The FIR was registered at the behest of Respondent No. 2 alleging that on 15.07.2025, the petitioner, who was her *ex-fiancé*, stalked her, entered her office, physically assaulted her and even threatened her with a knife, as he was upset with their marriage being broken off by the Complainant.



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3. The learned counsel for the petitioner submits that the engagement of petitioner and Respondent No. 2 was solemnized in the month of January, 2025. He submits that due to compatibility issues between the parties, the marriage was broken off by the complainant.

4. It is pointed out that since the respondent no. 2 had stopped responding to the messages of the petitioner, he approached her and went to her office only to seek clarifications and with the intentions of saving their relationship. However, due to some misunderstandings, things escalated which led to an altercation between the parties.

5. It is further pointed out that though the matter was resolved on that date itself and the Respondent No. 2 had already stated before the police that she does not wish to pursue the matter, however, since a PCR call was made the police registered the aforementioned FIR.

6. The present petition is filed on the ground that the matter is amicably settled between the parties with the intervention of mediation / relatives out of their own free will, without any force, coercion or misrepresentation.

7. The parties have decided that due to their differences there is no possibility of them getting married and it would be in their best interest if they part ways.

8. Respondent No. 2 has also filed her affidavit of no objection dated 15.10.2025 deposing that she has no objection if the present FIR is quashed as the matter has been settled.

9. The petitioner and Respondent No. 2 are present in the



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Court and have been duly identified by the Investigating Officer.

10. On being asked, Respondent No. 2 states that due to the engagement of the parties being broken some misunderstandings and miscommunications seeped in between the parties, which led to the above incident. She submits that she has since moved on in life and has forgiven the petitioner. She further submits that she never wished to pursue any proceedings arising out of the present FIR and has no objection if the same is quashed.

11. She also submits that she is also now engaged to get married to somebody else and the pendency of these proceedings will only cause undue harassment of the parties.

12. The petitioner is present in the Court and states that he has since realised his mistake and he has also unconditionally apologized to the Respondent No. 2 for the misbehaviour.

13. Offences under Sections 115(2)/126(2)/ 324(4) of the BNS are compoundable and offences under Sections 351(2)/333/78 of the BNS and Sections 25/27 of the Arms Act are non-compoundable.

14. It is well settled that the High Court while exercising its powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('**BNSS**') [*erstwhile* Section 482 of the Code of Criminal Procedure, 1973] can quash proceedings in which offence is non-compoundable on the ground that there is a compromise between the accused and the complainant. The Hon'ble Apex Court has laid down parameters and guidelines for High Court while accepting settlement and quashing the proceedings. In the case of *Narinder Singh & Ors. v. State of*



***Punjab & Anr. : (2014) 6 SCC 466***, the Hon'ble Supreme Court had observed as under :-

*“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.”*

(emphasis supplied)

15. Similarly, in the case of ***Parbatbhai Aahir & Ors. v. State of Gujarat & Anr. : (2017) 9 SCC 641***, the Hon’ble Supreme Court had observed as under :-

*“16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:*

*16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.*

*16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.*

*16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.*

*16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.*

*16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the*



*offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.*

**16.6.** *In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. **Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.***

**16.7.** *As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.*

**16.8.** *Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.*

**16.9.** *In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and*

**16.10.** *There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”*

(emphasis supplied)



16. It is not in doubt that the offences under Sections 351(2)/333/78 of the BNS and Sections 25/27 of the Arms Act are heinous in nature and involve mental depravity. Offences of such nature cannot be quashed merely because the victim has settled the dispute. Such offences, in true sense, cannot be said to be offences *in personam* as the same are crimes against the society.

17. However, it emerges that in the present case, the parties are acquaintances and the Respondent No. 2 has known the Petitioner for about six years and were engaged to marry in January 2025. However, due to certain differences and compatibility concerns, the marriage was called off. Hence, though the Petitioner approached the Respondent No. 2 on the said date, the entire incident which led to the registration of the FIR was a result of certain misunderstandings and heightened emotional reactions between the parties, in lieu of the surrounding circumstances.

18. It is also stated that the Respondent No. 2 did not intend to the pursue the matter on the very date of the incident, however, the same was registered as a PCR call was received.

19. The parties have now decided to live peacefully in future and in the peculiar circumstances of this case, it is unlikely that the present FIR will result in a conviction when the complainant does not wish to pursue the case.

20. Considering that the parties are young, have resolved their differences and have since moved on in the life, in the opinion of this Court, continuation of the proceedings would only cause ill



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will to fester between the parties and undue harassment especially since the parties have now settled their disputes and decided to live their lives peacefully in the future.

21. Keeping in view the fact that the parties have amicably settled their disputes, this Court feels that no purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the opinion that this is a fit case to exercise the discretionary jurisdiction under Section 528 of the BNSS.

22. However, keeping in mind the fact that the State machinery has been put to motion, ends of justice would be served if the petitioner is put to cost.

23. In view of the above, FIR No.355/2025 and all consequential proceedings arising therefrom are quashed, subject to payment of total cost of ₹20,000/- by Petitioner, to be deposited with the Delhi Police Martyrs' Fund, within a period of four weeks from date.

24. Let the proof of deposit of cost be submitted to the concerned SHO.

25. The present petition is allowed in the aforesaid terms. Pending application also stands disposed of.

**AMIT MAHAJAN, J**

**DECEMBER 2, 2025**

**“SK”**