



2026:DHC:8547



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 30.09.2026*# **CNR No. DLHC010471402026**+ **CRL.M.C. 7349/2026 & CRL.M.A. 30735/2026**

ARIF ALIS TOTLA

.....Petitioner

Through: Ms. Shama and Ms. Jyoti Bisht,
Advocates

versus

STATE NCT OF DELHI THROUGH SHO & ANR.Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Rakesh Rana**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. Petitioner seeks quashing of case FIR No. 24/2026 of PS Kanjhawala for offence under Section 109(1)/3(5) of BNS on the ground that the complainant *de facto* (respondent no.2) has compromised the disputes with the petitioner.

2. Learned APP for State, assisted by IO/SI Rakesh Rana, accepts notice and strongly opposes the petition on the ground of seriousness of allegations.

CRL.M.C. 7349/2026

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3. According to the prosecution case, on 25.01.2026, the present petitioner caught hold of the victim (*respondent no. 2*) and after immobilizing him, exhorted the accompanying Child in Conflict with Law to kill respondent no. 2. Thereafter, the Child in Conflict with Law inflicted two stab wounds on respondent no. 2 and one of those stab wounds was in the chest region. According to the MLC of respondent no. 2, the injury was opined to be grievous by the concerned doctor.

4. Learned counsel for petitioner submits that since the respondent no. 2 has now compromised the offence with the petitioner, no purpose would be served by continuing the prosecution and it is a fit case for this Court to invoke inherent powers and quash the subject FIR. It is also contended by learned counsel for petitioner that the petitioner had rather saved respondent no. 2 and that the prosecution case is not truthful.

5. Having examined the record including the chargesheet shown by learned APP for State, I am unable to agree with learned counsel for petitioner.

6. The issue as to whether the prosecution case is truthful or not and as to whether the present petitioner had not attacked, but tried to save the respondent no. 2 would be a matter of trial. It is trite that in the proceedings seeking invocation of inherent powers, the High Court cannot conduct a mini-trial.

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7. In the cases titled *Narender Singh and Others vs State of Punjab and Another*, (2014) 6 SCC 466 and *Anand Kumar @ Sanjay Lalwani vs The State of Madhya Pradesh & Ors.* SLP (CRL.) No. 19051/2025 decided on 31.08.2026, the Hon'ble Supreme Court categorically held that the inherent powers to quash the FIR cannot be invoked where the allegations are serious and heinous in nature.

8. Considering the nature of allegations leveled in the subject FIR, I do not find it a fit case to quash the subject FIR merely on the ground of settlement between the injured and the alleged assailant.

9. Therefore, the petition and the accompanying application are dismissed.

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(JUDGE)

SEPTEMBER 30, 2026/as