



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

% Date of Decision: 26.09.2025

+ **CRL.A. 1/2018, CRL. MA 29448/2025**

ANIL KUMAR

.....Appellant

Through: Mr. Piyush Singhal, Mr. Preet Singh,
Ms. Khushi Thawal, Advocates with
appellant in person.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Ms.Shubhi Gupta, APP for State with
SI Lokesh Kumar PS Govind Puri
Ms. Yoshita Khullar, Advocate with
complainant in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

JUDGMENT (ORAL)

1. The present appeal has been preferred to assail and set aside the impugned judgment of conviction dated 21.11.2017 and order on sentence dated 28.11.2017. *Vide* the impugned judgment, the appellant stands convicted for the offence punishable under Section 324 IPC. He was sentenced to undergo Rigorous Imprisonment (RI) for 2 years and fine of Rs.1000/- and in default whereof, he was to undergo Simple Imprisonment (SI) for a period of 1 month.

The sentence of the appellant was suspended by this Court on 03.01.2018.

2. At the outset, learned counsels for the parties state that the parties have entered into a settlement and in this regard, an application bearing



CRL.M.A. 29448/2025 has been filed vide which the compromise deed dated 24.09.2025 has been placed on record, supported by the affidavit of the complainant/victim stating therein that the complainant has already compromised the matter with the appellant. Learned counsel for the appellant prays that in view of the above, the offence be compounded.

3. The complainant/victim is present in person and affirms to the factum of arriving at a settlement with the appellant and submits that he has no objection in case the offence is compounded.

4. In the present case, FIR No. 387/2014 came to be registered under Section 324 IPC at P.S. Govindpuri wherein it was recorded that on 09.04.2014, the appellant and the injured victim/*sonu* had an altercation over calling each other names, whereafter the appellant went to his house and took out a knife and in the ensuing altercation, inflicted a knife injury on his person. Trial Court, after analysing the testimonies and the evidence placed on record, convicted the appellant under Section 324 IPC.

5. Pertinently, Section 324 IPC is non-compoundable as per Section 320 Cr.P.C. However, the power of High Court under Section 482 Cr.P.C. to quash proceedings in matters wherein non-compoundable offences are involved is well recognized. The Supreme Court in B.S. Joshi v. State of Haryana¹ observed that Section 320 Cr.P.C. does not limit or control the powers vested in High Court under Section 482 Cr.P.C., and that the High Court is empowered to quash criminal proceedings/FIR, even if non-compoundable offences are involved. The inherent power of the Court power is of wide plenitude with no prescribed statutory limitation but it has to be exercised judiciously to secure the ends of justice or to prevent abuse



of the process of any Court. (Cf: in Gian Singh v. State of Punjab & Anr.²)

6. The Supreme Court in Ramgopal & Anr v. The State of Madhya Pradesh³ was dealing with a case wherein the accused had cut off the little finger of the hand of the victim with a *Pharsa*, and the Trial Court had convicted the accused under Section 294/323/326/34 IPC. The decision was appealed before the Sessions Court. During pendency of said appeal, the parties reached a compromise. The Sessions Court took note of the settlement but refused to compound the offence under Section 326/34 IPC. The High Court also refused to compound the offence. The Supreme Court, while allowing quashing of proceedings on the basis of compromise, reiterated that the extra-ordinary power vested in a High Court under Section 482 CrPC was beyond the constraints and limitations of Section 320, and in appropriate circumstances, keeping in mind the nature of offence, its effect on society, injuries, voluntary nature of the compromise and conduct of the accused persons. The Supreme Court made the following observations : -

“19. We thus sum up and hold that as opposed to Section 320 Cr.P.C. where the Court is squarely guided by the compromise between the parties in respect of offences ‘compoundable’ within the statutory framework, the extraordinary power enjoined upon a High Court under Section 482 Cr.P.C. or vested in this Court under Article 142 of the Constitution, can be invoked beyond the metes and bounds of Section 320 Cr.P.C. Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind: (i) Nature and effect of the offence on the conscious of the society; (ii) Seriousness of the injury, if any; (iii) Voluntary nature of compromise between the accused and the victim; & (iv) Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.

¹ (2003) 4 SCC 675

² (2012) 10 SCC 303

³ decided on 29.09.2021 in Criminal Appeal No. 1489 of 2012



20. Having appraised the aforestated parameters and weighing upon the peculiar facts and circumstances of the two appeals before us, we are inclined to invoke powers under Article 142 and quash the criminal proceedings and consequently set aside the conviction in both the appeals. We say so for the reasons that:

Firstly, the occurrence(s) involved in these appeals can be categorized as purely personal or having overtones of criminal proceedings of private nature;

Secondly, the nature of injuries incurred, for which the Appellants have been convicted, do not appear to exhibit their mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest;

Thirdly, given the nature of the offence and injuries, it is immaterial that the trial against the Appellants had been concluded or their appeal(s) against conviction stand dismissed;

Fourthly, the parties on their own volition, without any coercion or compulsion, willingly and voluntarily have buried their differences and wish to accord a quietus to their dispute(s);

Fifthly, the occurrence(s) in both the cases took place way back in the years 2000 and 1995, respectively. There is nothing on record to evince that either before or after the purported compromise, any untoward incident transpired between the parties;

Sixthly, since the Appellants and the complainant(s) are residents of the same village(s) and/or work in close vicinity, the quashing of criminal proceedings will advance peace, harmony, and fellowship amongst the parties who have decided to forget and forgive any ill will and have no vengeance against each other; and

Seventhly, the cause of administration of criminal justice system would remain unaffected on acceptance of the amicable settlement between the parties and/or resultant acquittal of the Appellants; more so looking at their present age."

7. In the present case, the incident pertains to 2014. The appellant was around 29 years old at the time of the incident. He had given a single knife blow to the victim following the altercation. They were acquaintances as the



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victim used to play games at the video parlour of the appellant. There are no prior convictions of the appellant and he is the sole breadwinner for his family, which comprises of a blind sister. The victim/*sonu* has stated that he has entered into a compromise with the appellant of his own free will and volition, without threat, undue influence or coercion. His Affidavit to that effect is on record. Considering the entire facts and circumstances, the prayer made in CRL.M.A. 29448/2025 is allowed. The FIR No. 387/2014 registered at PS Govindpuri and proceedings emanating therefrom are hereby quashed. As a necessary sequitur, the impugned judgement and order on sentence is set aside. The bail bonds are cancelled and the sureties stand discharged.

8. The appeal alongwith application is disposed of in the above terms.

(MANOJ KUMAR OHRI)
JUDGE

SEPTEMBER 26, 2025/*rd*