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

\# **CNR No. DLHC010008562026**

\+ CRL.M.C. 330/2026 & CRL.M.A. 1250/2026

SH DIPANSHU BATRA .....Petitioner

Through: Mr. Abhik Kumar, Mr. Abhinav Akash, Mr. Sunil Yadav and Mr. Rinku Mathur, Advocates with Petitioner (in-Person).

versus

GOVT OF NCT DELHI & ORS. .....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for State with Mr. Narendra Kumar, Advocate.
SI Mohit Kumar, P.S. Tilak Nagar.
Mr. Vishal Bansal, Advocate for R-2 & 3.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 12.10.2026

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] (corresponding to Section 482 of the Code of Criminal Procedure, 1973[2]) seeks quashing of FIR No. 746/2022 dated 6th December, 2022,[3] registered at P.S. Tilak Nagar under Sections 279/337/338 of the Indian Penal Code, 1860,[4] and all proceedings emanating therefrom.

2. The case of the prosecution is that on 5th December, 2022, the Petitioner was driving a car in a rash and negligent manner, resulting in a

[1] "BNSS"
[2] "CrPC"
[3] "impugned FIR"

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collision with a vehicle in which Respondent Nos. 2 and 3 were travelling, thereby causing injuries to both of them. On the basis of these allegations, the impugned FIR came to be registered. Upon completion of investigation, a charge-sheet was filed against the Petitioner under Sections 279/337/338 IPC.

3. During the pendency of the proceedings, the matter was referred to the Delhi Mediation Centre, Tis Hazari Courts, *vide* order dated 8th December, 2023. The parties thereafter arrived at an amicable settlement dated 11th December, 2023, whereby the Petitioner agreed to pay a total sum of INR 45,000/- towards full and final settlement of the criminal dispute, comprising INR 15,000/- to Respondent No. 2 and INR 30,000/- to Respondent No. 3. The settlement records that it was arrived at voluntarily, without any force, pressure or coercion.

4. Pursuant to the settlement, the Petitioner paid the entire agreed amount to Respondent Nos. 2 and 3 before the Trial Court on 12th December, 2023. On the same date, both Respondents made a joint statement confirming the settlement and expressing their unwillingness to pursue the prosecution. Consequently, the offences under Sections 337 and 338 IPC stood compounded before the Trial Court, leaving the proceedings under Section 279 IPC to be considered by this Court. It is further noted that MACT No. 370/2023, instituted by Respondent No. 2 in relation to the same accident, was disposed of as settled on 6th May, 2025, upon payment of INR 2,50,000/- by the insurance company. The connected claim instituted by Respondent No. 3, bearing MACT No. 371/2023, is stated to be pending adjudication.

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[4] "IPC"

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5. Respondent Nos. 2 and 3 are present before the Court and have been duly identified by the Investigating Officer. Upon interaction with the Court, they affirm that the dispute has been amicably resolved and that the settlement was entered into voluntarily, without any force, pressure or coercion. They further confirm that they have received the agreed settlement amount and have no objection to the quashing of the impugned FIR and the proceedings emanating therefrom.

6. The Court has considered the submissions of the parties. The offences under Sections 337 and 338 IPC already stand compounded before the Trial Court *vide* order dated 12th December, 2023. The present petition, therefore, falls for consideration only insofar as the remaining offence under Section 279 IPC is concerned, which is non-compoundable in nature.

7. It is well settled that in the exercise of its inherent powers under Section 482 CrPC (now Section 528 BNSS), the Court may, in appropriate cases, quash proceedings in respect of non-compoundable offences if the parties have reached a genuine settlement and no overarching public interest is adversely affected. In ***Narinder Singh & Ors. v. State of Punjab & Anr.***,[5] the Supreme Court held as follows:

> "*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***

[5] (2014) 6 SCC 466

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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]

8. The Court is conscious that the offence under Section 279 IPC involves considerations of public safety and cannot be regarded as purely private in nature. Nevertheless, the practical prospects of securing a conviction must also be considered. In the present case, Respondent Nos. 2 and 3, being the injured persons, have voluntarily settled the dispute and categorically expressed their unwillingness to support the prosecution. This circumstance substantially diminishes the possibility of securing a conviction.

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9. It is also significant that the offences under Sections 337 and 338 IPC, arising from the same incident, already stand compounded before the Trial Court. Respondent Nos. 2 and 3 have received the agreed settlement amount and have affirmed before this Court that they have no objection to the quashing of the remaining proceedings. Having interacted with them, the Court is satisfied that the settlement is genuine and voluntary. Insisting upon continuation of the prosecution in these circumstances would serve no worthwhile public interest.

10. Having regard to the totality of the circumstances, and in view of the legal principles laid down by the Supreme Court, this Court finds the present case to be an appropriate one for exercise of jurisdiction under Section 528 of BNSS to secure the ends of justice.

11. In view of the foregoing, the present petition is allowed and the impugned FIR No. 746/2022 and all consequential proceedings emanating therefrom, are hereby quashed.

12. The parties shall abide by the terms of settlement.

13. The petition is disposed of in the above terms.

SANJEEV NARULA, J

OCTOBER 12, 2026
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