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

% ***Date of Decision: 09th October, 2026***

\# **CNR No. DLHC010470552026**

\+ W.P.(CRL) 3066/2026 & CRL.M.A. 30690/2026

SATISH KUMAR & ORS. .....Petitioners

Through: Mr. Aakash Godara, Advocate.
(M): 9015220306

versus

STATE & ORS. .....Respondents

Through: Ms. Rupali Bandhopadhya, ASC with Mr. Abhijeet Kumar, Advocate for the State.
(M): 9818163407
7840058325
Email: asc.rbandhopadhya@gmail.com
SI Ekta, PS Sector-23, Dwarka.
ASI Karan, Prosecution Branch, Dwarka.
(M): 8512098001
Email: yadavekta74@gmail.com
Mr. Sanjeev Beniwal, Advocate.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. *(Oral):*

1. The present petition has been filed under Articles 226 and 227 of the Constitution of India, 1950 ("Constitution"), read with 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 No. 183/2018* dated 08th July, 2018, registered at Police Station ("PS") Sector 23 Dwarka, Delhi, under Sections 308/201/34 of the Indian Penal Code, 1860 ("IPC"), and all the proceedings emanating therefrom, on the ground of settlement.

2. The aforesaid FIR was initially registered under Sections 308/34 of the IPC on the basis of a complaint made by respondent no. 2. A Chargesheet dated 27th October, 2020, was subsequently filed by the concerned Investigating Officer ("IO") before the Trial Court, whereby, all the petitioners were charged under Sections 308/201/34 of the IPC.

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 nos. 2 to 4.

4. The petitioners and respondent nos. 2 to 4 are present before this Court, and are duly identified by their respective counsels as well as the IO, who is also present before this Court.

5. The captioned petition is taken up for disposal with the consent of the parties.

6. The relevant facts for adjudication of the present petition, as culled out from the material on record, are as follows:

6.1. Respondent no. 2 has stated that his house has a sewer connection for the discharge of drainage water and mud. However, his neighbour, i.e., petitioner no. 1, does not have a drainage connection to the sewer line, resulting in the accumulation of garbage and water on the road outside and causes filth.

6.2. It is alleged that when respondent no. 2 raised this issue with

petitioner no. 1 and his family members, namely, petitioner nos. 2 to 4, who stated that the drain water would remain as it was, following which a quarrel ensued.

6.3. It is further alleged that petitioner nos. 2 and 4 arrived with iron rods, while petitioner no. 3 arrived with a baseball bat, and they assaulted respondent no. 2. When his wife, i.e., respondent no. 3, intervened to rescue him, she was also assaulted. Both respondent nos. 2 and 3 sustained injuries as a result of the alleged incident.

6.4. The present FIR is a cross-FIR to the one forming the subject matter of *CRL.M.C. 7658/2026*, i.e., *FIR No. 184/2018*.

7. Learned counsels appearing for the petitioners and respondent nos. 2 to 4 jointly submit that they have settled their disputes and do not wish to pursue the matter any further. The parties have executed a Settlement Deed dated 04th April, 2026, wherein the petitioners have agreed to pay a total amount of Rs. 2,00,000/- to respondent nos. 2 to 4 in two instalments. The said Settlement Deed records that the first instalment of Rs. 1,00,000/- had already been paid to respondent no. 2 by way of a Demand Draft, while the remaining Rs. 1,00,000/- would be paid at the time of quashing of the present FIR and the FIR in *CRL.M.C. 7658/2026*.

8. They further submit that on account of the aforesaid Settlement Deed, the proceedings in respect of the present FIR and the cross-FIR be closed.

9. This Court is also informed that the amounts in terms of the said Settlement Deed already stand paid by the petitioners to respondent nos. 2 to 4, which is confirmed by learned counsels appearing for the parties.

10. In light of the aforesaid, the parties seek quashing of the present FIR.

11. Learned APP appearing for the State submits that in view of the fact

that the present matter and the connected matter have been settled, the State has no serious objection. However, considering the exaggerated nature of the complaints, cost may be imposed upon the parties.

12. Having heard learned counsels appearing for the parties, this Court notes that the parties have arrived at a settlement in respect of the present matter.

13. This Court has perused the FIR as well as the Chargesheet in the present matter as well as those in the connected matter, i.e., *CRL.M.C. 7658/2026*.

14. A reading of the said FIRs and Chargesheets show that though the charges made by the parties against each other are serious, however, they seem to be fictitious, exaggerated, and with a view to falsely implicate each other in view of the disputes between them. The parties are neighbours, and a personal dispute with regards to the sewerage system led to an altercation between them, resulting in the registration of cross-FIRs against each other.

15. This Court deprecates the conduct of the parties, who, in order seek revenge against one another, filed exaggerated complaints and set the machinery of the State in motion.

16. In the present matter as well as in the connected matter, the FIR is of the year 2018, and both the cases arising therefrom, remain pending before the Trial Court.

17. Furthermore, it is well settled that High Courts may exercise their inherent powers under Section 528 of the BNSS, corresponding to Section 482 of the CrPC, to quash criminal proceedings even with respect to non-compoundable offences, if the concerned parties have arrived at a compromise or settlement, and particularly, when no overarching public

interest is adversely affected by quashing the same. The ultimate guiding factors in such cases must be to secure the ends of justice and prevent the abuse of the process of law.

18. In this regard, reliance is placed upon the case of ***Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303***, wherein, the Supreme Court has held as under:

> *"xxx xxx xxx*
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> ***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)

19. Further, in ***Parbatbhai Aahir Alias Parbatbhai Bhimsinhbhai Karmur and Others Versus State of Gujarat and Another, (2017) 9 SCC 641***, the Supreme Court has summarised the following principles for quashing of criminal proceedings:

"xxx xxx xxx

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

xxx xxx xxx"

(Emphasis Supplied)

20. Accordingly, considering the aforementioned judgments and the facts and circumstances of the present case, it is directed that *FIR No. 183/2018* dated 08th July, 2018, registered at PS Sector 23 Dwarka, Delhi, under Sections 308/201/34 of the IPC, and the consequential proceedings arising therefrom, are hereby quashed.

21. However, the present order is subject to the petitioners paying costs of Rs. 30,000/- to the Delhi High Court Bar Clerk's Association, within a period of two weeks, from today. The details of the said Association are as

follows:

Delhi High Court Bar Clerk's Association
Account No. 15530100006282
IFSC Code: UCBA0001553
Bank Name: UCO Bank
Branch: Delhi High Court

22. The proof of depositing the aforesaid cost shall be filed before this Court, as well as with the concerned IO.

23. With the aforesaid directions, the present petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

OCTOBER 9, 2026
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