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

\# **CNR No. DLHC011076862025**

\+ CRL.M.C. 25/2026

SUSHANT ATRI & ORS. .....Petitioners

Through: Mr. Deepak, Mr. Ashish Kumar and Mr. Deepanshu Jakhar, Advs.

versus

STATE NCT OF DELHI AND ORS .....Respondents

Through: Mr. Shoaib Haider, APP for State with SI Rajat Malik

CORAM:
HON'BLE MR. JUSTICE ARUN BHARDWAJ

O R D E R

% 09.10.2026

1. The Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 415/2022 dated 03.08.2022, registered at Police Station Dwarka South, Delhi, for offences punishable under Sections 308/427/341/34 of the Indian Penal Code, 1860 ('IPC") and all consequential proceedings arising therefrom, on the basis of a settlement arrived at between the parties.

2. Brief facts of the case are that the alleged incident took place on 01.08.2022 at about 11:30 p.m. near Vandana International School, Sector 10, Dwarka, Delhi, where the complainants, Respondent No. 2 and Respondent No. 3, were allegedly assaulted by the Petitioners using an iron rod and other sharp objects.

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3. Learned counsel for the Petitioners submits that the dispute arose out of a sudden quarrel between parties residing in the same village. It is submitted that the parties have amicably resolved their disputes before the Delhi Mediation Centre, Dwarka Courts, vide Settlement Agreement dated 12.07.2025. Respondent Nos. 2 and 3 have also filed affidavits stating no objection to the quashing of the FIR and the proceedings emanating therefrom.

4. Learned counsel for the Petitioners further submits that, in view of the settlement, continuation of the criminal proceedings would serve no useful purpose and would unnecessarily prolong the dispute between the parties. Learned counsel has relied on ***Narinder Singh v. State of Punjab,*** (2014) 6 SCC 466, and ***State of Madhya Pradesh v. Laxmi Narayan***, (2019) 5 SCC 688.

5. The question which arises for consideration is whether the criminal proceedings, particularly in respect of the offence punishable under Section 308 IPC, warrant quashing in the exercise of the inherent jurisdiction of this Court on the basis of the settlement between the parties.

6. In ***Narinder Singh v. State of Punjab*** *(supra),* the Hon'ble Supreme Court laid down the principles to be considered by the High Courts while exercising their inherent powers to quash criminal proceedings on the basis of a settlement between the parties. The relevant paragraphs are reproduced hereinbelow:

> *"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*

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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,

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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."

7. The Hon'ble Supreme Court in ***Gian Singh v. State of Punjab,*** (2012) 10 SCC 303, has also explained the scope High Court's inherent power to quash the criminal proceedings on the basis of a settlement. The relevant paragraph reads as follows:

"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

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> *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."*

8. In ***Abdul Hannan@ Hannan Chaudhary v The State(Govt of NCT Delhi) & Ors.*** Criminal Appeal No. 4936/2024, the Hon'ble Supreme Court quashed the FIR registered under Section 308 and 34 IPC in view of the settlement arrived at between the parties. The following observations are pertinent to the present matter:

> *"11. Considering the law enunciated above and the facts and circumstances of the case, especially the fact that the injuries were simple in nature and an amicable settlement has been arrived at between the*

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parties wherein the respondents do not wish to pursue the proceedings any further, we find it a fit case to quash the criminal proceedings against the appellants. The instant case falls squarely in the category where a settlement of the dispute between the parties precluded the possibility of a 8 conviction, making the continuation of trial an exercise in futility. In this light, putting a quietus to the proceedings would also conserve further resources of the investigating agency and the judicial system by preventing them from being wasted on a case which would have little chance of success.

12. Therefore, we observe that given that the parties are known to each other, have amicably resolved their dispute, seek to bury the hatchet and move forward with their lives, no useful purpose would be served by keeping the dispute alive. On the contrary, continuation of the proceedings would only defeat the ends of justice by jeopardizing the prospects of the Petitioners who are young students at present and should rather focus on building a bright future for themselves."

9. In a similar case, a Coordinate Bench of this Court in ***Kailash Chand & Ors. v. State of NCT of Delhi & Anr.*** CRL.M.C. 8220/2025 quashed an FIR registered under Sections 308/506/34 IPC, despite the injuries being opined to be grievous. The relevant paragraphs are extracted below:

"7. Although the injuries are recorded to be grievous, respondent No.2 is present in Court, and states that the injuries have not had lasting consequences and that he does not object to the FIR

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being quashed. He submits that the incident happened on the spur of the moment.

8. Although the offence under Section 308 of IPC is noncompoundable, the Supreme Court has consistently held that, notwithstanding the non-compoundable nature of an offence, the High Court possesses jurisdiction to quash criminal proceedings in appropriate cases where the parties have amicably settled their disputes."

10. This Court has considered the submissions made on behalf of the Petitioners, the Status Report filed by the State and the material placed on record. It is evident that the parties are residents of the same village and, as submitted on behalf of the petitioners, the dispute arose out of a quarrel between them.

11. In the present case, the settlement was arrived at before the Delhi Mediation Centre, and Respondent Nos. 2 and 3 have independently affirmed their consent to the settlement and have filed an affidavit of no objection to the quashing of the proceedings.

12. Having regard to the fact that the parties have resolved their dispute, the Complainants do not wish to pursue the prosecution and the parties belong to the same native village, this Court is of the view that the settlement deserves to be given due weight in the peculiar facts of the present case. In these circumstances, continuation of the proceedings would not advance the object of securing justice between the parties.

13. Accordingly, the petition is allowed. FIR No. 415/2022 dated 03.08.2022, registered at Police Station Dwarka South, Delhi, for offences punishable under Sections 308/427/341/34 of the Indian Penal Code, 1860,

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and all consequential proceedings arising therefrom are quashed qua the petitioners.

14. Pending application(s), if any, stands disposed of.

ARUN BHARDWAJ, J

OCTOBER 9, 2026
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