

Devender Singh Bindra vs the State Govt of Nct of Delhi & Anr.

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Court : Delhi Orders

Decided On : May-29-2026

Judge : Hon'Ble Mr. Justice Prateek Jalan

Appeal No. : CRL.M.C./4338/2026

Appellant : Devender Singh Bindra

Respondent : The State Govt of Nct of Delhi & Anr.

Advocate for Def. : Mr. Hitesh Vali, Ms. Anjali, Mr. Gaurav Kumar Singh

Advocate for Pet/Ap. : Mr. Neeraj Kumar, Ms. Lalita Pandey

Judgement :

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 4338/2026, CRL.M.A. 17478/2026 DEVENDER SINGH BINDRAPetitioner Through: Mr Neeraj Kumar, Ms Lalita Pandey,
Advs Petitioner in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR.....Respondents
Through: Mr Hitesh Vali,APP Ms. Anjali, Mr. Gaurav Kumar Singh, Adv.
for R-2 Respondent No.2 in person ASI Indu Singh

CORAM:

HONBLE MR. JUSTICE PRATEEK JALAN

ORDER

% 29.05.2026

1. The petitioners have approached this Court under Section 528 of the

Bharatiya Nagarik Suraksha Sanhita, 2023 [BNSS] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 [Cr PC]), seeking quashing of FIR No. 201/2015 dated 08.03.2015, registered at Police Station Farsh Bazar, District East, Delhi, for offences punishable under Sections proceedings emanating therefrom, on the ground that the disputes between the parties have been amicably settled.

2. Issue notice. Mr Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Ms. Anjali, learned counsel, accepts CRL.M.C. 4338/2026 Page 1 of 6 notice on behalf of respondent No. 2.

3. The petitioner is present in Court and identified by his counsel and the Investigating Officer [IO]. Respondent No. 2 is present in Court and has been duly identified by her learned counsel and the IO.

4. The petitioner and respondent No. 2 reside in the same locality.

Respondent No. 2, along with one Seema Sachdeva, purchased Flat No. one Rita Chawla by a registered Sale Deed dated 28.04.2009. The said flat was lying vacant, with only a sofa kept inside. It is alleged by respondent No. 2 that, on 08.03.2015, when she visited the flat, she

found that the petitioner, who resides on the first floor of the same property, had trespassed into the flat. She further found that the lock of the flat and the sofa were missing. The FIR was registered on the basis of a complaint lodged by respondent No. 2 against the petitioner, alleging that he had broken the lock of the flat and stolen the sofa.

5. A chargesheet has been filed against the petitioner under Sections 448, 511, 457, 380 and 411 of the IPC before the Magistrates Court.

6. During the pendency of the case, the parties arrived at an amicable

settlement, which was recorded in a Settlement Agreement dated 05.05.2026. In terms thereof, the parties mutually agreed to seek withdrawal of the aforesaid FIR or its quashing by this Court. It has also been recorded that respondent No. 2 had lodged the FIR in a fit of rage and haste. The flat in question, which was earlier in the name of respondent No. 2, has since been purchased by the petitioner and transferred in his name.

7. In light of the aforesaid, the petitioner has approached this Court seeking quashing of the impugned FIR, alongwith consequential CRL.M.C. 4338/2026
Page 2 of 6 proceedings.

8. An affidavit on behalf of respondent No. 2 has been placed on record,

wherein it is affirmed that she has compromised the matter with the petitioner amicably and that respondent No. 2 has no objection to the quashing of the impugned FIR.

9. Learned counsel for the parties submit before the Court that the settlement was entered into voluntarily, without force, fraud or coercion, and that continuation of the criminal proceedings would serve no useful purpose.

14. It is well settled that, even in respect of non-compoundable offences, the High Court may, in appropriate cases, exercise its inherent jurisdiction to quash criminal

proceedings on the basis of a settlement between the

parties. In *Gian Singh v. State of Punjab and Anr.*¹, the Supreme Court held

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 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

(2012) 10 SCC 303. CRL.M.C. 4338/2026 Page 3 of 6

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.

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under: 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 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. Emphasis supplied.

(2014) 6 SCC 466. CRL.M.C. 4338/2026 Page 4 of 6

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.⁴

10. In the present case, the parties reside in the same locality, and there is

no heinous criminality committed by the petitioner. The parties have amicably resolved their differences, and the concerned flat has been purchased by the petitioner and transferred in his name. Respondent No. 2 has, by way of affidavit, affirmed that she has compromised the matter with the petitioner amicably and that she has no objection to the quashing of the impugned FIR. No overriding public interest would be served by permitting the criminal proceedings, which emanate from a private property dispute between parties residing in the same locality, to

continue, particularly when the matter stands fully settled. In the light of these facts, it is evident that the continuation of criminal proceedings is unlikely to result in any conviction, and would serve no practical purpose, amounting merely to a formal exercise that would unnecessarily burden the administration of justice and Emphasis supplied.

CRL.M.C. 4338/2026 Page 5 of 6 expend public resources.

11. In view of the foregoing, the petition is allowed. Accordingly, FIR

No. 201/2015 dated 08.03.2015, registered at Police Station Farsh Bazar, District East, Delhi, for offences punishable under Sections 448/380/511 of the IPC, alongwith all proceedings emanating therefrom, is hereby quashed.

12. Having regard to the length of time for which the matter has been

pending and consequent expenditure of state resources and judicial time, the petitioner shall deposit costs of Rs. 15,000/- with the Delhi High Court Bar Association Costs Account [A/C No.15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch] within a period of two weeks from today. An affidavit of compliance be filed by the petitioner within a period of one week thereafter.

13. The parties shall remain bound by the terms of the settlement.

14. The petition, alongwith pending application, is accordingly disposed of.
PRATEEK JALAN, J MAY 29, 2026 Tg/JM/ CRL.M.C. 4338/2026 Page 6 of 6

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