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

CNR No. DLHC010467482026

+ **CRL.M.C. 7282/2026**

SATISH KUMAR BHADANA AND ORS. Petitioners

Through: Mr. Rajesh Rathod, Mr. Inderjeet, Mr. Vaibhav Sharma and Mr. Rajat, Advocates.

Petitioner Nos. 1, 2, 6 and 7 in person.

Petitioner Nos. 3, 4 and 5 (through VC)

versus

STATE GOVT OF NCT OF DELHI AND ANR. Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with Mr. Varun Garg, Advocate with SI Talib Chaudhary, PS: Govindpuri

Mr. Abhishek Kumar, Advocate for R-2 along with R-2 in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **28.09.2026**

CRL.M.A. 30477/2026 (for exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

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3. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ['BNSS'], seeking quashing of FIR No. 58/2020 dated 15.02.2020, registered at Police Station Govind Puri, New Delhi, under Sections 498A/406/506/509/34 of the Indian Penal Code, 1860 ['IPC'].

4. Petitioner nos. 1, 2, 6 and 7 are physically present in Court and are identified by the counsel and the Investigating Officer ['I.O.']. Petitioner nos. 3, 4 and 5 have joined the proceedings through Video Conferencing ['VC'] link and are identified by the counsel for the Petitioner and the I.O.

5. Respondent no. 2 is present in Court and is identified by the I.O.

6. It is stated that subject FIR arose out of matrimonial discord between Petitioner No.1 and Respondent No.2, whose marriage was solemnised on 25.11.2016 and from which a daughter was born on 17.09.2017, who is presently nine (9) years old. Petitioner nos. 2 to 7 are the relatives of Petitioner no. 1 and were the in-laws of Respondent no. 2. Respondent No.2 had alleged matrimonial disputes with the Petitioners. After investigation, chargesheet was filed and the matter is presently pending before the JMFC (Mahila Court)-02, South-East District, Saket Courts, at the stage of prosecution evidence, and the next date is fixed for 13.10.2026.

7. It is stated that during the pendency of the proceedings, the parties amicably settled all matrimonial and connected disputes through a Settlement Deed dated 28.11.2025 signed before the Mediation Centre, Saket Courts, pursuant to which they agreed to obtain divorce by mutual



consent. Petitioner No.1 agreed to pay Rs. 18,00,000/- towards full and final settlement along with return of jewellery, for the claims of Respondent No. 2 towards alimony. It was agreed that sole custody of the minor daughter was to remain with Respondent No.2 and Petitioner No. 1 shall have no visitation rights.

8. It is stated that in terms of the settlement, the parties obtained a decree of divorce by mutual consent dated 02.04.2026 and the connected proceedings under the Protection of Women from Domestic Violence Act, 2005 were also withdrawn on 28.02.2026.

9. Learned counsel for the Petitioners state that a sum of Rs. 12 lakhs were paid over to Respondent no. 2 through demand draft during the divorce proceedings along with return of a jewellery. He states that a demand draft for the balance amount of Rs. 6 lakhs has been brought to Court today. He states that the demand draft has been handed over today *vide* DD No. 054418 drawn on Axis Bank dated 17.09.2026.

10. He states that Petitioner No. 1 acknowledges that the present Settlement Deed dated 28.11.2025 does not govern the legal rights of the child *qua* the parents.

11. Learned counsel for Respondent No. 2 confirms that Respondent No. 2 has received the entire settlement amount of Rs. 18 lakhs from the Petitioner No. 1 along with jewellery items. He confirms the receipt of the demand draft no. 054418.

12. Learned counsel for the parties submit that the Settlement Deed was



entered into voluntarily by the parties, of their own free will, and without any coercion, undue influence or pressure.

13. Learned APP states on instructions from I.O. that the chargesheet has already been filed and charges have been framed. He submits that State has no objection to the relief sought in the present petition.

14. In view of the aforesaid facts, the parties seek quashing of the subject FIR No. 58/2020, the chargesheet and all proceedings emanating therefrom.

15. This Court has heard the learned counsel for the parties and perused the record.

16. This Court has interacted with Respondent no. 2, who is present in Court. Respondent No.2 states that she has no objection to quashing of the FIR. She confirms receipt of Rs. 12 lakhs and jewellery during divorce proceedings as well as receipt of the demand draft of Rs. 6 lakhs today. She confirms that she has filed the affidavit of no-objection dated 10.09.2026, which is at running page no. 28 of this petition.

17. It is trite law that the High Court, invoking its inherent powers under Section 528 of the BNSS, is empowered to quash criminal proceedings on the basis of settlement arrived inter-se parties. Where the dispute is predominantly private in nature and does not involve any overriding societal or public interest, quashing the proceedings would serve the ends of justice and prevent the abuse of the process of law. Quashing of criminal proceedings arising out of matrimonial relationship pursuant to amicable resolution has been expressly acknowledged by the Supreme Court as a fit



case for quashing. In this regard, this Court finds it apposite to refer to the judgment of the Supreme Court in **Gian Singh v. State of Punjab**¹ wherein it was held as under: -

“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.

¹ (2012) 10 SCC 303



61. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : **(i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court.** In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. **But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to**



abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

[Emphasis Supplied]

18. Further, in **Narinder Singh & Ors. v. State of Punjab & Anr.**², 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.

² (2014) 6 SCC 466



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]

19. This too is a case of criminal proceedings arising out of a matrimonial dispute between the parties, wherein the marriage has been dissolved by way of decree obtained through mutual consent. Parties have elected to part ways amicably. It would in the interest of justice that proceedings are closed so that parties can put behind this unworked relationship and the unpleasant memories around it, so that they can move forward and build a new life for themselves. Also, the closure of these criminal proceedings would be in the interest of the minor child or else every Court hearing will bring back the issue to the house. This Court is of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS to further the interests of justice.



20. Therefore, the FIR No. 58/2020 dated 15.02.2020, registered at P.S. Govind Puri, New Delhi, under Sections 498A/406/506/509/34 of IPC along with chargesheet and proceedings emanating therefrom are quashed.
21. It is directed that parties shall abide by the terms of settlement.
22. It is made clear that nothing in this order or the settlement shall preclude the minor child from agitating her legal rights *qua* the parents in accordance with law.
23. The petition is allowed in the aforesaid terms.
24. Pending application(s) is disposed of as infructuous.
25. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
SEPTEMBER 28, 2026/rhc/AM