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

+ **CRL.M.C. 50/2025, CRL.M.A. 223/2025**

ASHOK KUMAR JAIN & ORS.

.....Petitioners

Through: Ms. Sneha Roy, Advocate with
petitioners through vc

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP for the
State with SI Ujjawal Rana, PS Budh
Vihar

Mr. Ankit Agrawal, Advocate for R-2
with R-2 in person through vc

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
31.01.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter “BNSS”) [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter “Cr.P.C.”)] has been filed on behalf of the petitioners praying for quashing of FIR bearing No.0182/2022 dated 13th February, 2022, registered at Police Station- Budh Vihar, Delhi, for the offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereinafter “IPC”).

2. The Joint Registrar (Judicial) *vide* order dated 29th January, 2025 has verified the facts and details of the instant matter.

3. The brief facts of the case are that the marriage between the son of the petitioners, namely, Mr. Pratik Jain and respondent No.2 got solemnized on 23rd May, 2019 at Rohini, New Delhi, according to Hindu rites and



ceremonies. However, the husband of respondent No.2 expired on 21st June, 2021, and thereafter, the respondent No.2 shifted to her parental home. In February, 2022, on account of disputes and differences regarding *stridhan* between the parties, the respondent No.2 filed a complaint with Police Station, Budh Vihar, Delhi which culminated into the present FIR dated 13th February, 2022.

4. Learned counsel for the petitioners submitted that with the intervention of family members and relatives, both the parties entered into settlement *vide* settlement deed dated 14th November, 2024 before the Delhi Government Mediation & Conciliation Centre. The terms and conditions of the said settlement are mentioned in the said settlement which is annexed as Annexure P-2 to the petition.

5. It is submitted that respondent No.2 has settled all her disputes with the petitioners for a sum of Rs. 5,00,000/- (Rupees Five Lakhs) which has already been received by her and the same is evident by order dated 29th January, 2025 passed by learned Joint Registrar of this Court.

6. Therefore, it is prayed that the instant FIR may be quashed on the basis of the aforesaid settlement dated 14th November, 2024 and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court.

7. Learned APP for the State submitted that there is no objection to the prayer made on behalf of the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.

9. The petitioners are present before this Court through video conferencing and have been identified by their counsel Ms. Sneha Roy and



Investigating Officer (“IO” hereinafter), SI Ujjawal Rana, Police Station – Budh Vihar, Delhi. The respondent No.2 is also present before this Court through video conferencing and has been identified by her counsel and the IO.

10. On the query made by this Court, respondent No.2 has categorically stated that she has entered into compromise at her own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties. Respondent No.2 further submits that she has re-married and has no issue from the previous marriage and she does not want to pursue the aforesaid FIR any further. The parties also undertook that they shall abide by the terms and conditions of the Settlement Agreement arrived at between the parties.

11. The instant criminal proceedings in respect of non-compoundable offences are private in nature and do not have a serious impact on the society especially when there is a settlement/compromise between victim and accused. In such cases, it is settled law that High Court is also required to consider the conduct and antecedents of the accused in order to ascertain that the settlement has been entered into by her own free will and has not been imposed upon her by the petitioner or any person related to him.

12. In the case of *State of Madhya Pradesh vs. Laxmi Narayan and Ors.*, (2019) 5 SCC 688, the Hon’ble Supreme Court held that the powers conferred under Section 482 of the Cr.P.C, can be exercised by the Courts to quash the criminal proceedings featuring non-compoundable offences, when the matter arises out of matrimonial or family disputes. Moreover, it is pertinent to satisfy the Court that the said non-compoundable offences are private in nature and does not have a serious impact on the society.



13. Furthermore, it was observed by the Hon'ble Supreme Court in the case of *Ramgopal and Ors. Vs. The State of Madhya Pradesh*, 2021 INSC 568, that the extraordinary power enjoined upon the High Courts under Section 482 of Cr.P.C. can be invoked even when such a case falls within the ambit of non-compoundable offences given that the Court must be satisfied that the nature of the offence does not impact the conscious of the society and that the compromise between the parties is voluntary and amicable.

14. In the present case, the complainant is present in Court and has categorically stated that she has entered into compromise and settled the entire disputes amicably with the petitioners by her own free will without any pressure or coercion. As per the settlement, the respondent no. 2 has received the entire settled amount.

15. In view of the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed. Accordingly, FIR bearing No.0182/2022 dated 13th February, 2022, registered at Police Station- Budh Vihar, Delhi, for the offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

16. The petition alongwith pending applications, if any, stand disposed of.

CHANDRA DHARI SINGH, J

JANUARY 31, 2025

Rt/anr

[Click here to check corrigendum, if any](#)