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

+ CRL.M.C. 1438/2025

LALA RAM & ORS.

.....Petitioners

Through: Mr. Brij Lal and Mr. Saurabh Bharti,
Advts. along with petitioners in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Satish Kumar, APP for State with
SI Sachin Panwar and ASI Jitender Singh, PS
Fatehpur Beri
Complainant in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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12.08.2025

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 "CrPC.")] has been filed on behalf of the petitioners praying for quashing of FIR bearing No. 0347/2021, registered at Police Station Fatehpur Beri for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that the marriage between petitioner no. 1 and respondent no.2 got solemnized on 27.02.2010 at New Delhi, according to Hindu rites and ceremonies. Two children were born from this



wedlock. However, due to some temperamental differences between them, certain altercations took place between parties.

3. Despite efforts of reconciliation, the parties could not settle their differences pursuant to which respondent no. 2 got FIR no. 0347/2021 registered.

4. However, at this stage, with the intervention of family members and relatives, both the parties have entered into a compromise deed dated 23.12.2024. The terms and conditions of the said compromise deed are mentioned in the compromise deed which is annexed as Annexure P-11 to the petition. Owing to the compromise deed, the parties have started living together and have set aside their disagreements.

5. Learned counsel for the parties thus prayed that the instant FIR be quashed on the basis of aforesaid compromise deed.

6. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition 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.

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

8. The petitioners are present before this Court and have been identified by their counsel, Mr. Brij Lal, and the Investigating Officer, SI Sachin Panwar, Police Station Fatehpur Beri. Respondent no. 2 is also present in the Court and has been identified by the Investigating Officer.

9. The instant criminal proceedings concern non-compoundable offences which are private in nature and do not have a serious impact on society, especially considering that there is a settlement/compromise between the victim and the accused.



10. In such cases, it is settled law that High Court is also required to consider the conduct and antecedents of the accused 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.

11. 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 CrPC/Section 528 of the BNSS, can be exercised by the Courts to quash 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 do not have a serious impact on society.

12. 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 the CrPC/Section 528 of the BNSS 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 consciousness of the society and that the compromise between the parties is voluntary and amicable

13. In the present case, the complainant/respondent no. 2 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. There is also no allegation from respondent no.2 that the conduct and antecedents of petitioners have been



bad towards her after the compromise. Further, she submitted that she has no objection to the present FIR being quashed.

14. Therefore, 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. 0347/2021, registered at Police Station, Fatehpur Beri for the offences punishable under Sections 498A/406/34 of the IPC and all the consequential proceedings emanating therefrom are quashed.

15. The petition along-with pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

AUGUST 12, 2025

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