



\$~34

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

+ **W.P.(CRL) 2101/2023**

**ADITYA BATRA & ORS.**

.....Petitioners

Through: Mr. Aayush Gautam and Mr. Girish  
Gautam, Advocates with Petitioners  
No. 1 to 4.

versus

**THE STATE & ANR.**

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC  
(Criminal) with Mr. Alok Sharma,  
Ms. Jyotsana Pandit and Mr. Mohit  
Raj Nagar, Advocates for State.  
W/SI Reena, P.S. Ranjit Nagar.  
Mr. Zaim Khan, Advocate for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

**17.03.2025**

%

1. The present petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973<sup>1</sup>, was filed seeking quashing of FIR No. 0060/2023, dated 23<sup>rd</sup> January, 2023 under Section 498A, 406 and 34 of the Indian Penal Code, 1860<sup>2</sup> registered at P.S. Ranjit Nagar against the Petitioners, on merits. However, subsequently, there has been a settlement between the Petitioners and Respondent No. 2 – the Complainant.

2. The terms of the settlement have been recorded in a Memorandum of

---

<sup>1</sup> “CrPC”

<sup>2</sup> “IPC”



Understanding<sup>3</sup> dated 1<sup>st</sup> October, 2024 and on basis thereof, the Petitioner No. 1 and Respondent No. 2 have filed an application under Section 13-B(1) of the Hindu Marriage Act, 1955, for dissolution of marriage by decree of divorce on mutual consent. On the said petition, the first motion has been allowed on 7<sup>th</sup> October, 2024, by the Principal Judge, Family Courts, West, Tis Hazari Courts, Delhi in HMA No. 2758/2024.

3. The copy of the petition under Section 13-B of the Hindu Marriage Act, 1955 along with the statements of the parties, the order passed on first motion dated 7<sup>th</sup> October, 2024, as well as a copy of the MOU dated 1<sup>st</sup> October, 2024, have been handed over across the board and are taken on record. In light of the settlement between the parties, the Petitioners request that the present FIR be quashed.

4. Respondent No. 2 has joined the proceedings through video conferencing mechanism along with her counsel. She confirms the MOU and states that she has no objection to the quashing of the FIR. The Petitioners, who are present in the Court have been duly identified by the concerned Investigating Officer.

5. At this juncture, it is important to take note of this Court's power under Section 482 of the CrPC to quash criminal proceedings pursuant to a settlement between the parties. In this regard, the Supreme Court in **Narinder Singh & Ors. v. State of Punjab & Anr.**,<sup>4</sup> has laid down certain guidelines and parameters for the High Courts while accepting settlement and quashing the proceedings:

*“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*

---

<sup>3</sup> “MOU”

<sup>4</sup> (2014) 6 SCC 466.



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.**

**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]

6. In view of the law discussed above as well as the settlement between the parties, the Court is of the considered opinion that the present matter deserves to be given a quietus, as the continuation of the present proceedings would serve no fruitful purpose, but rather only amount to an abuse of the



judicial process and impose an unwarranted burden on the State Exchequer.

7. Accordingly, the petition is allowed and FIR No. 0060/2023, dated 23<sup>rd</sup> January, 2023 under Section 498A, 406 and 34 of the Indian Penal Code, 1860 registered at P.S. Ranjit Nagar against the Petitioners, as well as all proceedings emanating therefrom, are hereby quashed.

8. The parties shall abide by the terms of settlement.

9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

**SANJEEV NARULA, J**

**MARCH 17, 2025**

as