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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4151/2025 & CRL.M.A. 18158/2025**
SH PANKAJ NAMA & ORS.Petitioners

Through: Ms. Shivangi Dubey, Advocate.

versus

THE STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Pradeep Gahalot, APP for State.
IO/SI Sunil Kr., P.S. Punjabi Bagh.
Complainant (through VC).

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **01.07.2025**

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 21/2023 registered under Sections 498A, 406 and 34 of the Indian Penal Code, 1860³ at P.S. Punjabi Bagh and all other proceedings emanating therefrom.

2. Petitioner No. 1 is the husband of Respondent No. 2. Petitioners No. 2 to 4 are the in-laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 10th February, 2019 as per Hindu rites and ceremonies. There is no child from the said marriage. However, due to matrimonial discord and temperamental differences, the relationship between the parties deteriorated. The parties thereafter separated

¹ "BNSS"

² "Cr.P.C."



on 26th October, 2019. Several efforts for reconciliation were made but to no avail.

3. Subsequently, Respondent No. 2 made a complaint to the Crime Against Women (CAW) cell, West Punjabi Bagh against Petitioners, alleging that she was subjected to physical and mental cruelty by them due to their demands for dowry. This complaint culminated into the impugned FIR bearing no. 21/2023.

4. The present petition is filed on the ground that the matter has been amicably settled between the parties on their own free will, without any coercion, pressure or undue influence before the Delhi Mediation Centre, Rohini District Courts, Delhi. In this regard, Petitioner No. 1 and Respondent No. 2 have also executed a Settlement Agreement dated 13th March, 2024, which has been placed on record and is perused by this Court.

5. As per the terms of the said Settlement Agreement, Petitioner No. 1 has agreed to pay a total sum of INR 8 Lakhs to Respondent No. 2 for all her past, present, and future claims arising out of the marriage with the Respondent No. 2, including alimony, maintenance and other claims. On the other hand, Respondent No. 2 has agreed to cooperate in the petition seeking quashing of the impugned FIR. Pursuant to the settlement, Petitioner No. 1 and Respondent No. 2 have obtained a decree of divorce by mutual consent dated 13th September, 2024, passed by the Principal Judge, Family Court, District North, Rohini Courts, New Delhi.

6. As per the settlement, the Demand Draft for the balance amount of INR 3 Lakhs that is to be paid to the Complainant has been handed over to SI Sunil Kr., P.S. Punjabi Bagh. Respondent No. 2, who appears through

³ “IPC”



video conferencing and duly identified by the Investigating Officer, states that she will collect the same from him. The copy of the Demand Draft is taken on record.

7. In light of the foregoing, counsel for the parties jointly pray for quashing of the impugned FIR. Respondent No. 2 confirms that she has entered into a settlement with Petitioner No. 1 on her own volition, without any undue pressure or influence from anyone. She further states that she has no objection to the quashing of the impugned FIR. An affidavit to this effect is also on record.

8. The Court has considered the submissions of the parties. Notably, the offence under Section 498A of IPC is non-compoundable while offence under Section 406 of IPC is compoundable in certain cases. However, at this juncture, it is imperative to emphasise the Court's power under Section 482 of the Cr.P.C. (now 528 of the BNSS) 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.**,⁴ has laid down certain guidelines and parameters for the High Courts while accepting settlement and quashing the proceedings. The relevant observations of the Court are as follows:

“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

⁴ (2014) 6 SCC 466.



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]

9. In view of the above as well as the settlement arrived at between the parties, this Court is of the considered opinion that this 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.

10. Accordingly, the petition is allowed, and No. 21/2023 registered under Sections 498A, 406 and 34 of the IPC at P.S. Punjabi Bagh and all other proceedings emanating therefrom are hereby quashed.



11. The parties shall abide by the terms of settlement.
12. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

SANJEEV NARULA, J

JULY 1, 2025/as