



\$~9 & 10

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

+ **CRL.M.C. 4229/2025 & CRL.M.A. 18422/2025,**
CRL.M.A. 18423/2025

DINESH VERMA & ORS.Petitioners
Through: Ms. Sunita Arora, Adv.
(DHCLSC), Adv. along
with P-1 to P-5.

versus

THE STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Kiran Bairwa, APP for
the State.
Insp. Sorabh Kr., Delhi
Police Academy Jharoda
Kalan, ND. LPS CWC/
Nanakpura.
Mr. Kesar Singh, Adv. for
R-2 along with R-2.

+ **CRL.M.C. 4403/2025 & CRL.M.A. 19138/2025,**
CRL.M.A. 19139/2025

DINESH VERMA & ORS.Petitioners
Through: Ms. Sunita Arora, Adv.
(DHCLSC), Adv. along
with P-1 to P-3.

versus

THE STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Kiran Bairwa, APP for
the State.
Insp. Sorabh Kr., Delhi
Police Academy Jharoda
Kalan, ND. LPS CWC/
Nanakpura.
Mr. Kesar Singh, Adv. for
R-2 along with R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **28.07.2025**



1. The present petitions are filed seeking quashing of FIR No. 59/2014 dated 25.03.2014 registered at Police Station Crime (Women) Cell, for offences under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and FIR No. 430/2014, dated 21.06.2014 registered at Police Station Saket for the offence under Section 354A of the IPC respectively, including all consequential proceedings arising therefrom.
2. FIR No. 59/2014 in CRL.M.C. 4229/2025 was registered on a complaint given by the daughter of Respondent No. 2/wife of Petitioner No.1 (since deceased) alleging that she was subjected to cruelty in relation to demand of dowry by the petitioners. Petitioner Nos. 2-5 are the family members of Petitioner No.1. One child was born out of the wedlock of Petitioner No. 1 and the daughter of Respondent No. 2. Chargesheet in this case was filed under Sections 498A/406/34 of the IPC.
3. FIR No. 430/2014 in in CRL.M.C. 4403/2025 was also registered on a complaint given by the daughter of Respondent No. 2/wife of Petitioner No.1 (since deceased) alleging that pursuant to an altercation, the petitioners inflicted beatings on her. Chargesheet in this case was filed under Sections 354/323/341/506/509 of the IPC.
4. The complainant was married to Petitioner No. 1. The matrimonial acrimony amidst the parties led to the registration of the abovementioned FIRs.
5. The present petitions are filed on the ground that the matters have amicably been settled between the parties before the Mediation Centre, Dwarka Courts, New Delhi by way of Settlement dated 22.04.2025, out of their own free will, without any coercion, inducement, allurement, compulsion, or undue



influence.

6. It is pointed out that the complainant expired on 31.10.2021 and the family members of the complainant and the petitioners have since resolved the disputes and decided to move on in the life.

7. The learned counsel for the petitioners' state that the parties have resolved all their disputes for a total settlement amount of ₹3,75,000/-. She submits that out of the total settlement amount, a sum of ₹3,00,000/- already stands paid to the family members of the complainant and that the balance amount of ₹75,000/- would be paid on or before 30.04.2026.

8. It is pointed out that the minor daughter of the complainant is being taken care of by Respondent No. 2 and his wife.

9. The parties are present in person and have been duly identified by the Investigating Officer.

10. Petitioner No. 1 states that the dispute was essentially matrimonial and pursuant to the death of the complainant, all family members sat together and with the intervention of the Mediation Centre, the parties have settled all their disputes and have decided to move on in life. He undertakes that the balance amount will be paid on or before 30.04.2026.

11. The petitioner is bound down to the undertaking.

12. The father of the complainant is present in Court and states that the disputes have already been settled. He states that the family of the complainant/deceased do not wish to pursue any proceeding arising out of present FIRs and they have no objection if the FIRs are quashed.

13. Offences under Sections 323/341/406/506/509 of the IPC are compoundable, whereas offences under Sections 354/498A of the IPC are non-compoundable.



14. It is well settled that the High Court while exercising its powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') [erstwhile Section 482 of the Code of Criminal Procedure, 1973] can quash offences which are non-compoundable on the ground that there is a compromise between the accused and the complainant. The Hon'ble Apex Court has laid down parameters and guidelines for High Court while accepting settlement and quashing the proceedings. In the case of **Narinder Singh & Ors. v. State of Punjab & Anr. : (2014) 6 SCC 466**, the Hon'ble Supreme Court had observed 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.

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)

15. Similarly, in the case of ***Parbatbhai Aahir & Ors. v. State of Gujarat & Anr. : (2017) 9 SCC 641***, the Hon'ble Supreme Court had observed as under:-

“16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.



16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. **Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.**

16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

(emphasis supplied)



16. The complainant is stated to have expired on 31.10.2021 and the family members of the complainant and the petitioners have since resolved the disputes and have decided to move on in their lives. The parties, with the intervention of Mediation Centre, have decided to resolve their disputes. The father of the complainant/deceased has stated that the FIRs were registered due to matrimonial acrimony and stated that he has no objection if the proceedings emanating from the FIRs are quashed. The FIRs were registered way back in the year 2014. Keeping the disputes alive especially when the parties have decided to bring all litigations between them to an end, would only cause harassment and would lead ill will to fester between the parties.

17. Keeping in view the nature of the dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the opinion that this is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS.

18. In view of the above, FIR Nos. 59/2014 and 430/2014 and all consequential proceedings arising therefrom are quashed.

19. The present petitions are allowed in the aforesaid terms. All pending applications also stand disposed of.

20. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

JULY 28, 2025

“SK”