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

+ **W.P.(CRL) 2282/2025 & CRL.M.A. 21276/2025**

NATWAR LAL VERMA ALIAS NATWAR

VERMA

.....Petitioner

Through: Mr. Vikasdeep Sharma and
Ms. Tanya Sharma, Advs.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC for State
with Mr. Arjit Sharma and Ms. Sakshi Jha, Advs.
with W/SI Priyadarshani, PS Sagarpur

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **24.07.2025**

1. The present petition is filed under Article 226 of Constitution of India read with Section 528 of BNSS [earlier Section 482 of CrPC] seeking quashing of FIR No. 425/2016, dated 16.11.2016, registered at Police Station Sagarpur, for offences punishable under Sections 498A/406/34 of IPC.

2. The brief facts of the case are that the marriage between petitioner and respondent no. 2 was solemnized on 26.11.2005 in accordance with Hindu rites and ceremonies. However, due to some temperamental differences between them, shortly after their marriage, they started living separately from 25.08.2015. One male child was born out of the wedlock.



3. Despite efforts of reconciliation, both the parties could not settle their differences and thereafter respondent no. 2 filed an FIR No. 425/2016 against the petitioner.
4. However, at this stage, with the intervention of family members and relatives, both the parties have entered into a settlement on 15.07.2024 before the Delhi Mediation Centre, Dwarka Courts. The terms and conditions of the said settlement are mentioned in the settlement deed which is annexed as Annexure-2 to the petition.
5. As per the said settlement, the petitioner and respondent no. 2 have mutually agreed that they shall move for divorce.
6. Further, in terms of the said settlement, it has been agreed among the parties that the petitioner shall pay a total sum of Rs. 16,00,000/- to the respondent no. 2. Out of the said total sum, the first settlement of Rs. 4,00,000/- and the second settlement of Rs. 6,00,000/- has already been made.
7. The petitioner undertakes that he shall pay the remaining sum of Rs. 6,00,000/- as full and final settlement against all her claims including maintenance (past, present and future), permanent alimony, *stridhan*. The parties thereto undertake to withdraw their respective cases against each other.
8. It is, thus, prayed that the instant FIR be quashed on the basis of settlement dated 15.07.2024.
9. Learned APP for the State submitted that there is no opposition to the prayer made on behalf of the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.
10. Heard learned counsel for the parties and perused the record.



11. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer W/SI Priyadarshani, Police Station Sagarpur. The respondent no. 2 is also present and has been identified by her counsel and the Investigating Officer.

12. On the query made by this Court, respondent no. 2 has categorically stated that she has entered into compromise on 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. Parties also undertake that they shall abide by all the terms and conditions of the settlement arrived at between the parties.

13. At this juncture, the petitioner has handed over a Demand Draft No. 533226 for an amount of Rs. 6,00,000/- in the name of respondent no. 2 today in the Court. Respondent no. 2 has verified the particulars of the Demand Draft to her satisfaction and stated them to be correct. The copy of the said Demand Draft is handed over by the learned counsel appearing on behalf petitioner during the course of the arguments, which is taken on record.

14. 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.

15. 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.



16. 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 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.

17. 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 conscious of the society and that the compromise between the parties is voluntary and amicable.

18. Therefore, in view of the settlement arrived between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed. Accordingly, FIR No. 425/2016, dated 16.11.2016, registered at Police Station Sagarpur, for the offences punishable under Sections 498A/406/34 IPC and all the consequential proceedings emanating therefrom are quashed.

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

AJAY DIGPAUL, J

JULY 24, 2025/ar/yr