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

+ **CRL.M.C. 5461/2025**

RAVIJOT SINGH MATTA AND ORS.

.....Petitioners

Through: Mr. Roshan Santhalia and Mr.
Aayush Mishra, Advocates with
Petitioners (through VC).

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for R-1.
SI Randeep, P.S. North Rohini.
Mr. Bharat Khurana, Advocate for R-
2 with R-2 (in-Person).

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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13.08.2025

1. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 333/2019 dated 15th October, 2019, registered under Sections 498A, 406 and 34 of the Indian Penal Code, 1860³ at P.S. North Rohini, Delhi and all consequential proceedings emanating therefrom.

2. Petitioner No. 1 is the husband of Respondent No. 2. Petitioner Nos. 2 and 3 are the in-laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnised on 8th May, 2016, as per Sikh rites and customs. From this marriage, the couple have one daughter.

¹ "BNSS"

² "CrPC"



However, due to marital discord and temperamental differences, the relationship between the parties deteriorated and they started living separately.

3. Subsequently, Respondent No. 2 made a complaint against Petitioners, alleging that she was subjected to cruelty by them, which later resulted into the impugned FIR.

4. The present petition is filed on the ground that the the parties have amicably settled their disputes of their own free will, without any coercion, pressure or undue influence and settlement dated 7th March, 2025, has been arrived at before the Delhi Mediation Centre, Rohini District Court, Delhi. As per the terms of the settlement, the parties have agreed to withdraw all proceedings pending before various Courts. Pursuant to the settlement, Petitioner No. 1 and Respondent No. 2 have obtained a divorce by mutual consent by order dated 9th May, 2025, passed by the Family Court, North Rohini, Delhi in HMA No. 724/2025.

5. In terms of the Settlement, Petitioner No. 1 had agreed to pay a total sum of INR 35,00,000/- to Respondent No. 2. Of the said amount, a sum of INR 10,00,000/- has been paid to Respondent No. 2 at the time of recording of first motion for seeking divorce under Section 13-B(1) of the Hindu Marriage Act, 1955. A further sum of INR 10,00,000/- has been paid to her by Petitioner No. 1 at the time of recording of statement of second motion. The balance amount of INR 15,00,000/- was agreed to be jointly paid to Respondent No. 2 by Petitioner Nos. 2 and 3, at the time of recording of statement for quashing of the impugned FIR. In this regard, Petitioner Nos. 2 and 3 have paid the balance amount of INR 15,00,000/- by way of two

³ “IPC”



separate demand drafts of INR 7,50,000/- each, bearing Nos. '377642' and '377643', drawn on Canara Bank dated 12th August, 2025. The same has been duly received and acknowledged by Respondent No. 2.

6. Respondent No. 2, who is present before the Court in person and duly identified by the Investigating Officer, confirms the settlement and states that she has voluntarily agreed to give her no-objection to the quashing of the subject FIR. To this effect, her Affidavit/No Objection Certificate is on the record. Petitioner No. 1 has appeared in person, while Petitioner Nos. 2 and 3 have joined the proceedings through the Video Conferencing mechanism and have been identified by the Investigating Officer. In light of the foregoing, counsel for the parties jointly pray for quashing of the impugned FIR.

7. The Court has considered the afore-noted facts. Notably, the offence under Section 498A of IPC is non-compoundable, while the offence under Section 406 of IPC is compoundable in certain cases. However, it is well settled that in the exercise of its inherent powers under Section 482 of CrPC (corresponding to Section 528 of BNSS), the Court may, in appropriate cases, quash proceedings in respect of non-compoundable offences if the parties have reached a genuine settlement and no overarching public interest is adversely affected. The Supreme Court in **Gian Singh v. State of Punjab & Anr.**⁴ has held as follows:

"11. As discussed above, offence punishable under Section 186/332/353 of the IPC are non-compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal

⁴ (2012) 10 SCC 303



proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility.”

[Emphasis added]

8. Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*,⁵ the Supreme Court held 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 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

⁵ (2014) 6 SCC 466



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. Considering the nature of dispute and the fact that the parties have amicably entered into a settlement, this Court is of the opinion that the present case is fit to exercise jurisdiction under Section 528 of BNSS (corresponding to Section 482 of CrPC) as no purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court.

10. Accordingly, the petition is allowed, and FIR No. 333/2019 dated 15th October, 2019, registered under Sections 498A, 406 and 34 of IPC at P.S. North Rohini, Delhi and all consequential proceedings emanating therefrom are hereby quashed.

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

12. It is clarified that the settlement shall not impact the rights of the minor child.

13. Accordingly, the petition is disposed of along with any pending application(s).

SANJEEV NARULA, J

AUGUST 13, 2025/as