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

+ **CRL.M.C. 5531/2025**

ANKIT SINGHAL & ORS.

.....Petitioners

Through: Ms. Meena, Mr. Hemant Baisla,
Mr. Hemant Kumar Niranjana, Ms. Neha Yadav
and Ms. Preet Goswami, Advs. along with the
petitioners in person

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP for State
with Mr. Aditya Vikram Singh, Adv. with SI
Rakesh Kumar, PS Shahdara
Mr. Piyush Aggarwal, Adv. for R-2 along with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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12.08.2025

CRL.M.A. 23673/2025

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 5531/2025

3. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC.")] has been filed on behalf of the petitioners praying for quashing of FIR bearing no. 259/2020



dated 28.08.2020, registered at Police Station, Shahdara, Delhi for the offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereinafter “IPC”)

4. The brief facts of the case are that the marriage between petitioner no. 1 and respondent no.2 got solemnized on 15.01.2016 at Delhi, according to Hindu rites and ceremonies. However, due to some temperamental differences between them, shortly after their marriage, they started living separately in 2019. No child was born from the said wedlock.

5. Despite efforts at reconciliation, both the parties could not settle their differences pursuant to which respondent no. 2 got FIR no. 259/2020 registered.

6. However, at this stage, with the intervention of family members and relatives, both the parties have entered into a Memorandum of Understanding dated 27.05.2025 (hereinafter “MOU”). The terms and conditions of the said MOU are mentioned in the MOU which is annexed as Annexure P-4 to the petition. In pursuance of the said settlement, the parties have jointly agreed that they shall move for divorce under Section 13B (1) and under Section 13B (2) of the Hindu Marriage Act, 1955 (hereinafter “HMA”) and accordingly, a divorce decree dated 18.07.2025 was passed by the Court concerned.

7. Learned counsel appearing on behalf of the petitioners submitted that respondent no.2 has settled all her claims in respect of her dowry articles, *stridhan*, marriage expenses, jewelries, gift items and claims of past, present and future maintenance and permanent alimony with the petitioners for a sum of ₹ 25,00,000/- and all disputes of any nature whatsoever, out of which



the remaining amount of ₹ 8,00,000/- was agreed to be paid at the time of quashing of the FIR.

8. At this juncture, petitioner no. 1 has handed over a Demand Draft bearing No.004916 dated 04.08.2025 for the balance amount of ₹ 8,00,000/- in the name of respondent no.2 today, before this Court. Respondent no. 2 has verified the particulars of the Demand Draft to her satisfaction and stated them to be correct.

9. It is, thus, prayed that the instant FIR be quashed on the basis of MOU.

10. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made on behalf of the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

11. Heard learned counsel for the parties and perused the record.

12. The petitioners are present before this Court and have been identified by their counsel, Ms. Meena, and the Investigating Officer, SI Rakesh Kumar, Police Station Shahdara, Delhi. Respondent no. 2 is also present in the Court and has been identified by her counsel, Mr. Piyush Aggarwal, and the Investigating Officer.

13. The instant criminal proceedings concern non-compoundable offences which are private in nature and do not have a serious impact on society, especially since there is a settlement/compromise between the victim and the accused.

14. 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.

15. 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.

16. 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 consciousness of society and that the compromise between the parties is voluntary and amicable

17. In the present case, the complainant/respondent no. 2 is present in Court and has categorically stated that she has entered into compromise and settled the entire disputes amicably with the petitioners by her own free will without any pressure or coercion. There is also no allegation from respondent no.2 that the conduct and antecedents of petitioners have been bad towards her after the compromise. As per the settlement, the respondent no. 2 has received the entire settled amount. Further, she submitted that she has no objection to the present FIR being quashed.



18. Therefore, in view of the settlement arrived at between the parties and the law laid down by the Hon'ble Supreme Court, the present petition is allowed. Accordingly, FIR bearing no. 259/2020 dated 28.08.2020, registered at Police Station, Shahdara, Delhi for offences punishable under Sections 498A/406/34 of the IPC along with all the consequential proceedings emanating therefrom stand quashed.

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

AJAY DIGPAUL, J

AUGUST 12, 2025

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