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

+ CRL.M.C. 6465/2025 & CRL.M.A. 27287/2025

YOGESH PAREWA & ORS

.....Petitioners

Through: Mr. Rashid Hussan and Mr. Ramesh Kumar, Advocates for the Petitioners along with Petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State along with SI Sunil Kumar, PS Ambedkar Nagar.

Mr. Hitendar Mahalwal, Mr. Tushar Singh and Ms. Vaishaly Singh, Advocates for Respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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12.09.2025

1. The present petition 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. 665/2022, dated 16th December, 2022 registered under Sections 498A/406/323/34 of the Indian Penal Code, 1860³ at P.S. Ambedkar Nagar, Delhi and all consequential proceedings emanating therefrom.

2. Petitioner No. 1 is the husband of Respondent No. 2 (Complainant). Petitioners No. 2 to 5 are the in-laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 15th March, 2018 as per Hindu rites and ceremonies. Parties have one child from this marriage. The case of the prosecution against the Petitioners is that soon

¹ "BNSS"

² "CrPC"



after her marriage Respondent No. 2 was subjected to persistent dowry demands, appropriation of her jewellery and *stridhan*, repeated assaults, threats of being killed, and even physical and sexual abuse. Based on these allegations, the impugned FIR under Sections 498A/406/323/34 of IPC came to be registered. During investigation, the Complainant's statement was recorded under Section 164 Cr.P.C., jewellery bills were verified, and witness statements collected. On the basis of material collected the Petitioners were charge-sheeted as follows: Petitioner No. 1(husband) under Sections 498A/406/323/506/34 of IPC; Petitioner No. 2 (father-in-law) under Sections 498A/406/323/34 of IPC; Petitioner No. 3 (brother-in-law) under Sections 498A/354/34 of IPC; Petitioner No. 4 (mother-in-law) under Sections 498A/406/506/323/34 of IPC; and Petitioner No. 5 (sister-in-law) under Sections 498A/34 IPC.

3. The present petition is filed on the ground that the matter is amicably settled between the parties on their own free will, without any coercion, pressure or undue influence. Pursuant thereto, the parties have executed a Mediation Settlement, dated 8th January, 2025, before the Mediation Centre, Saket Courts, New Delhi whereby Petitioner No. 1 has agreed to pay a total sum of INR 13,25,000/- to Respondent No. 2 towards full and final settlement amount. As per the terms of the settlement, Respondent No. 2 has agreed to withdraw all proceedings pending before various Courts. It is further agreed that Respondent No. 2 will have the custody of the minor child. Pursuant to the settlement, Petitioner No. 1 and Respondent No. 2 have obtained a decree of divorce by mutual consent through order dated 2nd May, 2025 passed by the Family Courts, District South, Saket Courts, New

³ "IPC"



Delhi.

4. In view of the settlement, Respondent No. 2, who has appeared before the Court in person and is identified by the Investigating Officer, has unequivocally stated that she does not wish to pursue the FIR proceedings. She has confirmed that her decision to settle the matter is voluntary and made without any undue influence or coercion. An affidavit to this effect has also been placed on record. She confirms that as per the terms of the settlement, she has already received a sum of INR 7,25,000/- out of the total settlement amount. Additionally, in accordance with the agreement, the Petitioners have tendered the balance amount by way of a demand draft bearing No. 376491 for an amount of INR 6,00,000/- to Respondent No. 2 during the proceedings. The same been duly received and acknowledged by Respondent No. 2. A copy of the said DD has been handed over across the board and is taken on record.

5. The Court has considered the submissions of the parties. While the offences under Section 498A/354 of IPC are non-compoundable, Sections 506/323/406 of IPC are compoundable in certain cases.

6. It is well settled that in the exercise of its inherent powers under Section 482 CrPC (now Section 528 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

⁴ (2012) 10 SCC 303



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 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]

7. 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 merely

⁵ (2014) 6 SCC 466



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]

8. 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 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.

9. In view of the foregoing, the present petition is allowed and the impugned FIR bearing No. 665/2022, as well as all consequential proceedings arising therefrom are hereby quashed.

10. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, all the Petitioners are directed to deposit INR 5,000/- each with the Delhi Police Welfare Fund within a period of four weeks from today.

11. The parties shall remain bound by the terms of settlement.

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

SANJEEV NARULA, J

SEPTEMBER 12, 2025/MK