



2026:DHC:1424



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 17th February, 2026***+ **CRL.M.C. 519/2026 & CRL.M.A. 2085/2026****KAILASH PATHRAY AND ORS**

.....Petitioners

Through: Mr. Rajiv Singh Pilonia with
Mr. Girdhari Singh and Mr. Rishabh
Sharma, Advocates with petitioner
No.1 in person and petitioner Nos.2 to
5 through V.C.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for the State with
SI Mukesh Kumar and ASI Subhash
Chand, PS Badarpur
Advocate for respondent No.2
(appearance not given) with
respondent No.2 in person.

CORAM:**HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioners herein seek quashing of FIR No.220/2024 dated 06.04.2024, registered at P.S. Badarpur, for commission of offences under Sections 498A/406/34 IPC and Sections 3/4 of *Dowry Prohibition Act, 1961*, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. Petitioner No.1 got married to respondent No.2 on 17.01.2019, as per Hindu rites and ceremonies. The parties were blessed with a baby girl in the year 2019 itself.
3. However, due to certain temperamental differences, parties started



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living separately and on account of such matrimonial discord, a complaint was lodged by respondent No.2, which resulted into registration of abovesaid FIR.

4. Charge-sheet has, reportedly, been filed.

5. Quashing is being sought for the reason that the parties have amicably settled all their matrimonial disputes and as per the terms of settlement, parties have also obtained divorce by way of mutual consent on 28.10.2025.

6. Petitioner No.1 is present in person in Court whereas, rest of the petitioners have joined the proceedings through *video-conferencing*.

7. Respondent No.2 is present in Court alongwith her brother and her counsel. The Investigating Officer (I.O.) is present and duly identifies her.

8. When asked, Respondent No.2 reiterated the terms of such settlement and submits that she has agreed to accept a sum of Rs.21,00,000/- as full and final settlement *in lieu* of alimony, *istridhan*, maintenance for self (past, present and future). The abovesaid total amount also constitutes FDRs worth Rs.9,00,000/- in the name of her daughter. She submits that she has already received such FDR worth Rs.9,00,000/- and also Rs.10,00,000 in her own name. The balance amount of Rs.2,00,000/- has been paid today by way of Demand Draft in the sum of Rs.1,50,000/- bearing No.495098 drawn on Canara Bank and the remaining amount of Rs.50,000/- in cash. Respondent No.2 acknowledges having received the same and submits that as per the terms of settlement, the custody of their daughter would remain with her, with no visitation rights to the petitioners.

9. Respondent No.2 has also filed an affidavit stating therein that since she has settled all her disputes with the petitioners amicably, she would have no objection if the FIR in question is quashed.



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10. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose, especially, when dispute does not involve any public interest and is, primarily, private in nature. In any case, even the complainant does not wish to press any charges against the petitioners.

11. Accordingly, exercising inherent powers vested in this Court under Section 528 of the BNSS, it is deemed appropriate to quash the instant FIR.

12. Consequently, to secure the ends of justice, FIR No.220/2024 dated 06.04.2024, registered at P.S. Badarpur, for commission of offences under Sections 498A/406/34 IPC and Sections 3/4 of *Dowry Prohibition Act, 1961*, along with all consequential proceedings emanating therefrom, is hereby, quashed subject to petitioners depositing total cost of Rs.20,000/- with *Delhi High Court Staff Welfare Fund* [Account no. 15530110074442: IFSC UCBA0001553] within two weeks from today.

13. The petition stands disposed of in aforesaid terms.

14. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

FEBRUARY 17, 2026/st/sa