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

+ **W.P.(CRL) 284/2026 & CRL.M.A. 2776/2026**

RISHI GOYAL & ORS.

.....Petitioners

Through: Ms. Shreya Mitra, Ms. Anuradha
Mitra and Mr. Raghav Mishra,
Advocates with petitioners in
person.

versus

THE STATE GOVT. OF NCT OF DELHI & ANR.Respondent

Through: Mr. Sanjay Lao, SC with Mr.
Aryan Sachdeva, Advocate.
Ms. Prabha and Mr. Sourabh Saini,
Advocates for R2 with R2 in
person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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28.01.2026

1. Issue notice. Mr. Sanjay Lao, learned Standing Counsel, accepts notice on behalf of the State. Ms. Prabha, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.
2. The petitioners have filed this petition seeking quashing of FIR No. 170/2022 dated 25.02.2022, lodged at Police Station Farsh Bazar, District Shahdara, New Delhi, under Sections 498A/406 of the Indian Penal Code, 1860 ["IPC"], alongwith consequential proceedings arising therefrom, on the ground of settlement.
3. Petitioner No. 1 and respondent No. 2 were married on 01.11.2017. One child was born from the wedlock on 14.09.2018. However, due to



matrimonial discord and temperamental differences, they have been living separately since 02.12.2019.

4. The impugned FIR was registered at the instance of respondent No.2 against her husband and his family members [petitioners herein]. Upon completion of the investigation, a chargesheet was filed under Sections 498A/406/34/377/354A of the IPC. A copy of the chargesheet has been handed up in Court and is taken on record.

5. Mr. Lao states that the allegations under Section 354A against the father-in-law and brother-in-law [petitioner Nos. 2 and 4 herein], and under Section 377 against the husband [petitioner No. 1 herein] were included in the chargesheet, upon a statement being recorded under Section 164 of the Code of Criminal Procedure, 1973.

6. Petitioner No. 1 and respondent No. 2 have since settled their disputes, as recorded in a Memorandum of Understanding dated 02.08.2025. The parties, therefore, seek quashing of the impugned FIR.

7. The petitioners are present in Court, and are identified by their learned counsel as well as by the Investigating Officer [“IO”]. Respondent No. 2 is also present in person, and is identified by her learned counsel and the IO.

8. Respondent No. 2 is present in Court and is represented by counsel. She submits that the aforesaid allegations under Sections 354A and 377 of the IPC arose out of misunderstandings in the course of the matrimonial disputes between her and her husband.

9. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

10. Pursuant to the settlement, the marriage between petitioner No. 1



and respondent No. 2 has been dissolved by a decree of divorce by mutual consent dated 12.12.2025.

11. The settlement also contemplates payment of a sum of Rs.38,00,000/- by petitioner No. 1 to respondent No. 2. I am informed that petitioner No. 1 has paid Rs. 25,00,000/- till date. The remaining amount of Rs. 13,00,000/- has been handed over to respondent No. 2 in Court by way of a demand draft.

12. Although the offences under Sections 498A, 354A, and 377 of the IPC are non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their inherent powers, can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

13. In *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], the Supreme Court held as follows:

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity,



the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”

[Emphasis supplied.]

14. In the present case, the proceedings between the parties arise out of a matrimonial relationship, which has already culminated in a decree of divorce. The complainant has stated that the allegations under Sections 354A and 377 of the IPC emanated out of a misunderstanding, in the wake of the matrimonial disputes. Applying the tests laid down by the Supreme Court, it may be observed that the respondent No. 2 has also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction, and its continuation would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily.

15. As noted above, the amount of Rs. 38,00,000/- contemplated in the settlement has been received by respondent No. 2. There is, therefore, no impediment to the grant of the relief sought.

16. Having regard to the above discussion, the petition is allowed, and



FIR No. 170/2022 dated 25.02.2022, lodged at Police Station Farsh Bazar, District Shahdara, New Delhi, under Sections 498A/406 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

17. The parties will remain bound by the terms of the settlement.

18. The petition, alongwith pending application, accordingly stands disposed of.

19. It is made clear that this order does not affect the rights of the minor child, who remains in the custody of respondent No. 2.

PRATEEK JALAN, J

JANUARY 28, 2026

SS/KA/