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

+ **W.P.(CRL) 302/2026 & CRL.M.A. 2917/2026**

AJAY DAYAL & ORS.Petitioners

Through: **Mr. Bimlesh Kumar, Advocate.**

versus

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

.....Respondents

Through: **Mr. Sanjay Lao, SC for State. ASI
Youdhvir.**

**Mr. Pradeep Singh Solanki,
Advocate for complainant.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% 29.01.2026

1. The petitioners have preferred the present petition seeking quashing of FIR No. 271/2024 dated 14.05.2024, registered at Police Station New Usmanpur, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961, as well as all proceedings emanating therefrom, in view of the amicable settlement arrived at between the parties.
2. Issue notice. Mr. Sanjay Lao, learned Standing Counsel, accepts notice on behalf of the State. Mr. Pradeep Singh Solanki, learned counsel, accepts notice on behalf of respondent No.2.
3. The marriage between petitioner No. 1 and respondent No. 2 was solemnised on 12.10.2021, and no child was born out of the wedlock.



Owing to matrimonial discord, the parties have been living separately since 20.07.2022. Petitioner Nos. 2 and 3 are the mother and aunt of petitioner No. 1, respectively.

4. During the subsistence of the matrimonial disputes, respondent No. 2 lodged a complaint before the Crime Against Women Cell, Delhi, against her husband, i.e., petitioner No. 1, and certain members of his family, pursuant to which the subject FIR came to be registered on 14.05.2024. Although allegations were also levelled in the FIR against the father of petitioner No. 1, it is stated that he passed away during the pendency of the proceedings, and consequently, the proceedings against him have abated.

5. The petitioners are present through video conferencing and have been duly identified by their learned counsel as well as the Investigating Officer. Respondent No. 2 is also present through video conferencing and has been duly identified by her learned counsel and the Investigating Officer.

6. During the pendency of the present proceedings, the petitioners and respondent No. 2 resolved their *inter se* disputes and entered into an amicable settlement, which was duly recorded in a Settlement Deed dated 03.04.2025 under the aegis of the Family Court, Karkardooma, Delhi. In terms of the said Settlement Deed, the petitioners agreed to pay a total sum of Rs.8,00,000/- to respondent No. 2 towards full and final settlement of all her claims arising out of the matrimonial relationship. The agreed amount was stipulated to be paid in three tranches, namely, Rs.2,00,000/- on or before the recording of the First Motion, Rs.3,00,000/- on or before the recording of the Second Motion, and the



remaining Rs.3,00,000/- at the time of quashing of the subject FIR.

7. Pursuant to the aforesaid settlement, the marriage between petitioner No. 1 and respondent No. 2 stands dissolved by a decree of divorce by mutual consent passed by the Family Court on 10.09.2025. Respondent No. 2 has also placed on record an affidavit of no objection dated 22.12.2025, wherein she has unequivocally affirmed that the settlement was arrived at of her own free will and volition, without any coercion, pressure, or undue influence.

8. In view of the foregoing circumstances and the complete resolution of disputes between the parties, the petitioners and Respondent No. 2 jointly seek quashing of the impugned FIR and all proceedings emanating therefrom.

9. Notwithstanding that the offence under Section 498A IPC is non-compoundable in nature, the Supreme Court has repeatedly recognised that the High Courts, in exercise of their inherent jurisdiction under Section 528 BNSS (corresponding to Section 482 CrPC), are empowered to quash criminal proceedings even in respect of such offences where the parties have amicably resolved their disputes, particularly in cases where the continuance of the proceedings would not subserve any overriding public interest.

10. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has 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

¹ (2012) 10 SCC 303.



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.”²

11. In the present case, the criminal proceedings emanate from a matrimonial relationship that has since culminated in a decree of divorce between the parties. Applying the principles laid down by the Hon’ble Supreme Court, it is evident that respondent No. 2 has unequivocally affirmed before this Court that the settlement was arrived at voluntarily. In these circumstances, the likelihood of the proceedings culminating in a conviction is remote, and their continued pendency would serve no

² Emphasis supplied.



meaningful purpose, while unnecessarily burdening the criminal justice system and resulting in avoidable consumption of public time and resources.

12. In terms of the settlement, a total sum of Rs. 8,00,000/- was agreed to be paid to respondent No. 2. Out of the said amount, respondent No. 2 has already received Rs.5,00,000/-, comprising Rs.2,00,000/- paid on 01.05.2025 *vide* Demand Draft dated 30.04.2025, and Rs. 3,00,000/- paid on 10.09.2025 *vide* Demand Draft dated 10.09.2025 before the Principal Judge, Family Courts (North-East District), Karkardooma Courts, Delhi. The balance amount of Rs.3,00,000/- has been paid to respondent No. 2 today. In view thereof, the terms of settlement stand fully complied with, and there remains no impediment to the grant of the relief sought.

13. In view of the foregoing, the present petition is allowed. Accordingly, FIR No. 271/2024 dated 14.05.2024, registered at Police Station New Usmanpur, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961, alongwith all proceedings emanating therefrom, is hereby quashed.

14. The petition, alongwith pending applications, stands disposed of.

PRATEEK JALAN, J

JANUARY 29, 2026

'Bhupi'/SD/