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

+ CRL.M.C. 749/2026

RUKHSAR & ORS.

.....Petitioners

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

+ CRL.M.C. 873/2026

BILAL SAIFI

.....Petitioners

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

+ CRL.M.C. 874/2026

SAKINA & ORS.

.....Petitioners

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Appearances:

Mr. Hitesh Vali, APP for the State alongwith SI Suman and ASI Kanwal, P.S.-Jagatpuri and SI Dinesh Kumar, P.S.-Nand Nagri alongwith Rukhsar Mr. Juned Salmani for petitioner No.1 in item 87 and for respondent no. 2 in item no. 112 & 113 Mr. Abdul Gaffar, Mr. Nakul Sharma and Mr. Junaid Nisar, Advocates for respondents in item 87 and for petitioners in items 112 & 113

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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02.02.2026

1. By way of these three petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek quashing of three



FIRs, being FIR No. 615/2024 dated 06.12.2024 registered at Police Station Jagat Puri under Sections 74/351(3)/79/126(2)/332(c)/115(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 [“BNS”], [subject matter of CRL.M.C. 749/2026], FIR No. 414/2025 dated 18.07.2025 registered at Police Station Nand Nagri under Sections 79/351(2) of the BNS [subject matter of CRL.M.C. 873/2026], and FIR No. 593/2024 dated 25.11.2024 registered at Police Station Jagat Puri under Sections 115(2)/126(2)/74/76/79/109(1)/351(2)/3(5) of BNS [subject matter of CRL.M.C. 874/2026].

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Learned counsel for the respective respondents/complainants accept notice.

3. The genesis of all the three FIRs lies in a matrimonial dispute between the petitioner and the respondent No.2 in CRL.M.C. 873/2026, [hereinafter referred to as “the husband” and “the wife” respectively]. The marriage of the said parties was solemnized on 19.04.2024, but the parties have lived separately since July 2024, owing to temperamental differences.

4. Two of the FIRs [FIR No. 615/2024 and FIR No. 593/2024] arise out an incident of 25.11.2025 when the wife visited her matrimonial home alongwith her relatives and acquaintances. There was an altercation between their relatives and associates, resulting in registration of FIR No. 615/2024 by five members of the husband’s family against the wife and four other persons. Arising out of the same incident, FIR No.593/2024 was registered against six members of the husband’s family by the wife and two others. The third FIR [FIR 414/2025] was filed by the wife



against the husband.

5. The parties have since settled their disputes, as recorded in the Memorandum of Understanding [“MoU”] dated 02.09.2025. A copy of the MoU has been placed before this Court. The parties to the agreement include all the parties involved in these three FIRs. The terms of the settlement contemplate dissolution of the marriage by mutual consent between the husband and the wife, and payment of a sum of Rs.5,25,000/- to be paid by the husband to the wife in full and final settlement of the disputes.

6. On the basis of the aforesaid settlement, learned counsel for the parties seek quashing of all three FIRs.

7. The parties are present and are represented by their respective counsel. They are identified by their respective counsel, as well as by the Investigating Officer [“IO”].

8. Learned counsel for the complainants in all three FIRs submit that the settlement has been entered into by the parties free of any pressure or coercion and in order to put all disputes to an end. They do not wish to pursue the matter any further.

9. The Supreme Court, dealing with the power of the Courts to quash criminal proceedings arising out of matrimonial disputes, has consistently held that the Court may permit such proceedings to be quashed on the basis of a settlement, particularly when the disputes are essentially personal in nature and do not involve any overriding public interest.

10. 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.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], the Supreme Court also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under:

“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 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.]

11. Following these judgments, the disputes in the present case would fall within the class of cases which this Court can quash in exercise of its inherent powers. I have considered the fact that an allegation has been made in FIR No. 593/2024 relating to Section 109(1) of BNS. The allegation against the accused therein was that an attempt on the life of



the wife was made by strangulation. However, perusal of an order of the Sessions Court dated 13.12.2024 [Bail Matter No. 2168/2024], by which anticipatory bail was granted to the accused, shows that the IO had not found any material to corroborate the allegation of strangulation. Relevant extracts of the order are as follows:

“8. As per 10, on 27.11.2024 and 29.11.2024, notice was served upon to all the accused persons twice and applicant/accused Farha Parveen joined the investigation and cooperated and she was bound down u/s 35 BNSS. In the CCTV footage of the street, on the said alleged date, the complainant was escorted by her three more persons namely Zaid Ansari, Fauzia and Reshma, who were roaming in the street of matrimonial home prior to the quarrel. Video produced by the sister-in-law of the complainant Farha, shows that Reshma was seen aggressively grabbing Waseem face during the incident. It is verified from the video that the people escorting with the complainant had made quarrel and fought with Imran and stopped him from recording the video. Both the parties entered into quarrel and heated arguments, but no act of molestation or strangulation was found to have been occurred and it was the complainant side, who picked up quarrel, which is verified from the persons present in the video namely Ayesha (neighbour, Rooma Khatoon (maid), Saira Bano (neighbour). Further, no act of molestation and strangulation or disrobing and outraging the modesty of the complainant had taken place.

9. The victim is the wife of Bilal and she had gone to her matrimonial house on 25.11.2024 and she had made allegations of strangulation of complainant by the applicant/accused and others on the instigation of co-accused. Both the side have relied on the videos, but the same has not been sent to F'SL and the videos show that the scuffle had taken place between complainant side and accused side and as per investigation by the IO, complainant was accompanied with her sister and others. The allegations against the applicant/accused are misbehaving and abusing the



complainant. There were prior disputes between the complainant and accused sides and there is no allegations of strangulation against applicant/accused and there is no previous involvement filed and she has already joined the investigation and no purpose would be served by sending her behind the bars particularly when IO had stated that she does not need her custodial interrogation and she had cooperated in the investigation.”

12. The complainants have also submitted before this Court through their counsel that the allegations under Sections 74/76/79 BNS against each other were born out of a misunderstanding, and the complainants do not wish to prosecute the criminal proceedings further. As the proceedings have their genesis in a matrimonial disputes, and keeping in mind the aforesaid factors, it also appears that there would be little chance of conviction.

13. Accordingly, the petitions are allowed, and FIR No. 615/2024 dated 06.12.2024 registered at Police Station Jagat Puri under Sections 74/351(3)/79/126(2)/332(c)/115(2)/3(5) of the BNS, FIR No. 414/2025 dated 18.07.2025 registered at Police Station Nand Nagri under Sections 79/351(2) of the BNS, and FIR No. 593/2024 dated 25.11.2024 registered at Police Station Jagat Puri under Sections 115(2)/126(2)/74/76/79/109(1)/351(2)/3(5) of BNS, alongwith all consequential proceedings arising therefrom, are hereby quashed.

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

15. The petitions are disposed of in the above terms.

PRATEEK JALAN, J

FEBRUARY 2, 2026/Dy/AD/