



\$~91

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

+ **W.P.(CRL) 467/2026 & CRL.M.A. 4260/2026**

**VIPUL CHOUDHARY & ORS.**

.....Petitioners

Through: Mr. Rahul Sharma, Mr. Sachin  
Kumar, Advocates.

versus

**STATE NCT OF DELHI & ANR.**

.....Respondents

Through: Mr. Sanjay Lao, SC. SI Ashok  
Singh, SI Pardeep, PS-Rani Bagh.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **09.02.2026**

1. The petitioners have preferred the present petition seeking the quashing of FIR No. 1050/2023 dated 24.10.2023, registered at Police Station Rani Bagh, Delhi, under Sections 498A, 406, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings arising therefrom, in view of the amicable settlement arrived at between the parties.

2. Notice was issued. Mr. Sanjay Lao, learned Standing Counsel, accepts notice on behalf of the State. Respondent No. 2 is present in person and has declined the assistance of counsel.

3. The marriage between petitioner No. 1 and respondent No. 2 was solemnised on 08.07.2022, and no child was born of the wedlock. Owing to matrimonial discord, the parties have been living separately since October 2023. Petitioner Nos. 2 and 3 are the mother and sister 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, which led to the registration of the FIR in question on 24.10.2023.

5. The petitioners are present before this Court and have been duly identified by their learned counsel as well as the Investigating Officer. Respondent No. 2 is also present and has been duly identified by the Investigating Officer.

6. During the pendency of these proceedings, the petitioners and respondent No. 2 amicably resolved their disputes and executed a Settlement Deed dated 12.12.2024. In terms of the Settlement Deed, petitioner No. 1 agreed to pay a total sum of Rs. 13,00,000/- to respondent No. 2 towards full and final settlement of all claims arising out of the matrimonial relationship. The sum was to be paid in three tranches: Rs. 5,00,000/- on or before the recording of the First Motion, Rs. 5,00,000/- on or before the recording of the Second Motion, and the balance of Rs. 3,00,000/- at the time of quashing of the FIR.

7. 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 passed by the Family Court, North-West, Delhi on 09.10.2025. Respondent No. 2 has also filed an affidavit dated 31.01.2026, affirming her unequivocal no objection to the quashing of the FIR.

8. In light of the foregoing, and the complete resolution of disputes between the parties, the petitioners and respondent No. 2 jointly seek the quashing of the impugned FIR and all proceedings arising therefrom.



9. Although the offence under Section 498A IPC is non-compoundable, it is well-settled that High Courts, in exercise of their inherent jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973), possess the authority to quash criminal proceedings even in respect of such offences, where the parties have amicably settled their disputes. This power is particularly warranted in cases where the continued prosecution of the proceedings would serve no legitimate public interest and would amount to an exercise in futility.

10. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*<sup>1</sup> 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 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***

---

<sup>1</sup> (2012) 10 SCC 303.



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.”<sup>2</sup>

11. In the present case, the criminal proceedings arise from a matrimonial relationship which has now culminated in a decree of divorce. Applying the principles laid down by the Supreme Court, it is evident that respondent No. 2 has affirmed that the settlement was voluntary. The likelihood of conviction is remote, and the continued pendency of proceedings would serve no meaningful purpose, while unnecessarily burdening the criminal justice system and consuming public resources.

12. In accordance with the settlement, a total sum of Rs. 13,00,000/- was to be paid to respondent No. 2. Of this amount, Rs. 10,00,000/- had already been received, and the balance Rs. 3,00,000/- has been paid by way of demand draft dated 05.01.2026. Thus, the terms of the settlement have been fully complied with, and there is no impediment to the grant of the relief sought.

13. In view of the foregoing, the petition is allowed. FIR No. 1050/2023 dated 24.10.2023, registered at Police Station Rani Bagh, Delhi, under Sections 498A, 406, and 34 of IPC, along with all proceedings arising therefrom, is hereby quashed.

---

<sup>2</sup> Emphasis supplied.



14. Parties shall remain bound by the terms of the settlement.
15. The petition, alongwith pending applications, stands disposed of.

**FEBRUARY 9, 2026**

*'Bhupi'/SD/*

**PRATEEK JALAN, J**