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

+ CRL.M.C. 1460/2026 & CRL.M.A. 5868/2026

GAURAV CHUGH & ORS.

.....Petitioners

Through: Mr. Shekhar Dasi, Mr. Mukul Girdhar, Md. Tahla, Mr. Ayush Dassi, Mr. Deepesh Kasana and Mr. Divyansh Malhotra, Advocates.

versus

THE STATE GOVERNMENT OF NCT OF DELHI THROUGH
SHO PS HARI NAGAR & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP with SI Vikash.
Mr. Anish Kumar Maggoo,
Advocate for complainant.

+ CRL.M.C. 1461/2026 & CRL.M.A. 5869/2026

GAURAV CHUGH & ORS.

.....Petitioners

Through: Mr. Shekhar Dasi, Mr. Mukul Girdhar, Md. Tahla, Mr. Ayush Dassi, Mr. Deepesh Kasana and Mr. Divyansh Malhotra, Advocates.

versus

THE STATE GOVERNMENT OF NCT OF DELHI THROUGH
SHO PS TILAK NAGAR & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP with SI Shweta.
Mr. Anish Kumar Maggoo,
Advocate for complainant.



+ CRL.M.C. 9142/2025

DEEPTI TANEJA AND ORS

.....Petitioner

Through: Mr. Anish Kumar Maggoo,
Advocate.

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Ajay Vikram Singh, APP.
Mr. Shekhar Dasi, Mr. Mukul Md.
Tahla, Mr. Ayush Dassi, Mr.
Deepesh Kasana and Mr. Divyansh
Malhotra, Advocates for
complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **20.02.2026**

1. The petitioners have filed these petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 56/2021 dated 17.02.2021, registered at Police Station Hari Nagar, District West, under Sections 498A/406/34 of the Indian Penal Code, 1860 ["IPC"] in CRL.M.C. 1460/2026, FIR No. 296/2023 dated 17.06.2023, registered at Police Station Tilak Nagar, District West, Delhi, under Sections 354(A)/506/323/34 of the IPC in CRL.M.C. 1461/2026, and FIR No. 233/2023 dated 17.05.2023, registered at Police Station Tilak Nagar, District West, Delhi, under Sections 452/323/380/427/34 of the IPC in CRL.M.C. 9142/2025, and all proceedings emanating therefrom, on the ground of settlement.



2. Issue notice. Ms. Manjeet Arya and Mr. Ajay Vikram Singh, learned Additional Public Prosecutors, accept notice on behalf of the State. Mr. Anish Kumar Maggoo and Mr. Shekhar Dasi, learned counsel, accept notice on behalf of their respective complainants.
3. The petitions are taken up for disposal with the consent of learned counsel for the parties.
4. The impugned FIRs in CRL.M.C. 1460/2026 and CRL.M.C. 1461/2026 are registered at the instance of respondent No.2 [“the wife”], against petitioner No.1 [“the husband”] and his family members. The FIR in CRL.M.C. 9142/2025 is filed by the husband against his wife, her family members, and his wife’s friend Sonu Suri.
5. The husband and the wife were married on 29.06.2018. Due to matrimonial discord and temperamental differences between the parties, they have been living separately since 28.07.2020. One girl child was born from the wedlock on 10.07.2020.
6. Separate chargesheets were subsequently filed with respect to all three FIRs.
7. In CRL.M.C. 1460/2026, chargesheet was filed on 26.03.2022 under Sections 498A/406/377/354A/354/506/34 of the IPC. The case [Cr. Case No. 7547/2022] is pending before the Court of Judicial Magistrate First Class (Mahila Court), Tis Hazari Courts, [“Mahila Court”] and is next listed on 17.04.2026 for arguments on charge.
8. In CRL.M.C. 1461/2026, chargesheet was filed on 09.09.2023 under Sections 354(A)/506/323/34 of the IPC. The case is pending before the Mahila Court and is next listed on 28.03.2026 for arguments on charge.



9. In CRL.M.C. 9142/2025, a chargesheet was filed in March 2024 under Sections 323/325/380/452/427/34 of the IPC. The case is pending before the Judicial Magistrate First Class, District West, Tis Hazari Courts, and is next listed on 04.06.2026 for “*Misc./Appearance*”.

10. The parties have entered into a settlement, recorded in a Memorandum of Understanding dated 20.03.2024, with addendum dated 24.04.2024. Under the said settlement, the parties have agreed to dissolve their marriage by mutual consent, with the husband paying a total sum of Rs. 40,00,000/- to the wife towards full and final settlement of all claims. It has further been agreed that all pending litigations and FIRs shall be withdrawn/quashed, and the permanent custody of the minor child shall remain with the wife.

11. In light of the aforesaid, the parties seek quashing of the impugned FIR.

12. The parties are present in Court, physically or through video conference, and are identified by their respective learned counsel, as well as by the Investigating Officer.

13. Pursuant to the settlement, the marriage has been dissolved by a decree of divorce by mutual consent by the Family Court, West District, Tis Hazari Courts, on 30.04.2025 [in HMA No. 868/2025].

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

15. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), 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.

16. In *Gian Singh v. State of Punjab & Anr.*¹, the Supreme Court 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 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

¹ (2012) 10 SCC 303.

² Emphasis supplied.



Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has 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

³ (2014) 6 SCC 466.



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.”⁴

17. In the present case, the proceedings between the parties arise out of a matrimonial relationship, which has already culminated in a decree of divorce. Applying the tests laid down by the Supreme Court, it may be observed that the wife 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.

18. The settlement contemplates payment of a sum of Rs. 40,00,000/- to the wife. I am informed that Rs. 25,00,000/- has already been by the husband to the wife. A demand draft of Rs.15,00,000/- as the final settlement has been handed over today to the wife. There is, therefore, no impediment to the grant of the relief sought.

19. Having regard to the above discussion, the petitions are allowed, and FIR No. 56/2021 dated 17.02.2021, registered at Police Station Hari Nagar, under Sections 498A/406/34 of the IPC in CRL.M.C. 1460/2026, FIR No. 296/2023 dated 17.06.2023, registered at Police Station Tilak Nagar, under Sections 354(A)/506/323/34 of the IPC in CRL.M.C. 1461/2026, and FIR No. 233/2023 dated 17.05.2023, registered at Police

⁴ Emphasis supplied.



Station Tilak Nagar, under Sections 452/323/380/427/34 of the IPC in CRL.M.C. 9142/2025, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

21. The petitions accordingly stand disposed of.

22. It is, however, made clear that the settlement and the present order will not, in any way, affect the rights of the minor child, whose custody remains with the wife.

PRATEEK JALAN, J

FEBRUARY 20, 2026

SS/JM/