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

+ **CRL.M.C. 1884/2026**

BALVINDER SINGH & ORS.

.....Petitioners

Through: Mr. Mohit Kumar, Md. Arib and
Mr. Satyanand, Advocates with
petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Manjeet Arya, APP with SI
Shweta.
Mr. Sunil Kumar, Advocate for R-
2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.03.2026**

1. The petitioners have filed this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (analogous to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking the quashing of FIR No. 426/2024 dated 15.08.2024, registered at Police Station Tilak Nagar, Delhi, under Sections 498A, 406, 354, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings arising therefrom, on the ground that the parties have amicably settled the dispute.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Sunil Kumar, learned counsel, accepts notice on behalf of respondent No.2.



3. The petitioners are present in court and have been identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is also present in person and has been identified by her learned counsel and the Investigating Officer.

4. The petition is taken up for final disposal with the consent of the learned counsel appearing for the parties.

5. Respondent No. 2 is the wife of petitioner No. 1. Petitioner No. 2 is the mother-in-law of respondent No. 2, petitioners Nos. 3 and 5 are her sisters-in-law, and petitioner No. 4 is her brother-in-law.

6. The marriage between petitioner No.1 and respondent No.2 was solemnized on 15.02.2022 according to Sikh rites and ceremonies. Owing to matrimonial discord and differences in temperament, the parties have been living separately since 11.02.2024.

7. Respondent No. 2 lodged a formal complaint before the Crime Against Women Cell, which resulted in the registration of the impugned FIR against the petitioners. A chargesheet was also subsequently filed.

8. The parties have amicably settled their dispute through a Settlement Deed dated 16.09.2025 executed before the Delhi Mediation Centre, Tis Hazari Courts, Delhi, whereby petitioner No.1 agreed to pay respondent No.2 a total sum of Rs. 6,85,000 in full and final settlement of all her claims, including istridhan, maintenance (past, present, and future), permanent alimony, and other matrimonial claims. The amount is to be paid in three installments, i.e., Rs. 2,40,000 at the time of recording statements in the first motion; Rs. 2,00,000 at the time of recording statements in the second motion; and Rs. 2,45,000, which is payable at the time of quashing of the FIR.



9. The learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion, undue influence, or pressure. It is further submitted that the allegations under Section 354 IPC against petitioner No. 4 arose from a misunderstanding stemming from matrimonial strife, and that respondent No.2 does not wish to pursue the same.

10. Pursuant to the settlement, the marriage between the parties has been dissolved by a decree of divorce by mutual consent passed by the Family Court on 19.01.2026.

11. In view of the foregoing facts and the settlement arrived at between the parties, they seek the quashing of the impugned FIR.

12. Although the offence under Section 498A IPC is non-compoundable, the Supreme Court has held that, in appropriate cases, the High Courts, exercising their powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), may quash criminal proceedings even in respect of non-compoundable offences, where a compromise has been amicably reached between the accused and the complainant, particularly when no public interest is adversely prejudiced.

13. 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 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

¹ (2012) 10 SCC 303.



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

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

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. Applying the principles laid down by the Supreme Court, it is noted that respondent No. 2 has categorically affirmed the voluntary and



informed nature of the settlement before the Court. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction, and maintaining the proceedings would serve only as a futile formality, unnecessarily burdening the justice system and consuming public resources.

15. The settlement provides for the payment of a total sum of Rs.6,85,000 to respondent No. 2, of which a Demand Draft of the remaining amount of Rs.2,45,000 has been handed over to her in Court today. In view thereof, there exists no impediment to the grant of the relief sought.

16. Having regard to the foregoing, the petition is allowed, and FIR No. 426/2024 dated 15.08.2024, registered at Police Station Tilak Nagar, Delhi, under Sections 498A, 406, 354, and 34 IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

18. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MARCH 16, 2026
SS/SD/

⁴ Emphasis supplied.