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

+ **CRL.M.C. 1399/2025**

SANDEEP RAWAT AND ORS.

.....Petitioners

Through: Mr. Sameer Chandra, Mr.
Shubham Parashar, Advocates.

versus

THE STATE (NCT OF DELHI) AND ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for State.
ASI Vijay Singh, PS-Badarpur.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.01.2026**

1. The petitioners have filed this petition 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. 624/2021 dated 19.11.2021, lodged at Police Station Badarpur, Delhi, under Sections 498A/406/34 of Indian Penal Code, 1860 ["IPC"], as well as all proceedings emanating therefrom, in view of the amicable settlement arrived at between the parties.
2. The aforesaid FIR was registered at the instance of respondent No. 2, the wife of petitioner No. 1 herein. Petitioner Nos. 2 and 3 are the parents-in-law of respondent No.2, and petitioner No. 4 is the sister-in-law of respondent No.2.
3. The marriage between petitioner No. 1 and respondent No. 2 was



solemnized on 16.02.2021. No child was born from the said wedlock. Differences arose between the parties, as a result of which they have been living separately since 23.03.2021.

4. Thereafter, respondent No. 2 preferred a complaint before the Crime Against Women Cell, on the basis of which FIR No. 624/2021 came to be registered on 19.11.2021, against petitioner No. 1 and his family members.

5. During the pendency of the proceedings, the parties arrived at an amicable settlement, which was reduced into writing by way of a Settlement Agreement dated 15.02.2024.

6. 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 on 29.01.2025.

7. The petitioners are present in Court and have been identified by their learned counsel and the Investigating Officer. Respondent No. 2 is also present on video conference, has been identified by her learned counsel and the Investigating Officer.

8. In view of the aforesaid settlement, the parties jointly seek quashing of the impugned FIR and all proceedings emanating therefrom.

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



overriding public interest is prejudiced.

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 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

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

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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 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

⁴ Emphasis supplied.



11. In the present matter, the criminal proceedings arise out of a matrimonial dispute which has since culminated in a decree of divorce. It is noteworthy that respondent No. 2 has unequivocally represented before this Court that the settlement between the parties was arrived at voluntarily and with full consent. In light of the principles laid down by the Supreme Court, it is apparent that the continuation of these proceedings is unlikely to culminate in a conviction and would serve no substantive judicial purpose. Permitting the matter to proceed would merely constitute a futile exercise, imposing an unnecessary burden on the judicial machinery and leading to an unwarranted consumption of public resources.

12. The settlement contemplates payment of Rs. 4,00,000/- to respondent No. 2. On account of delay in effecting the said payment, petitioner No. 1 has undertaken to remit an additional sum of Rs. 20,000/- within a period of two weeks, to compensate for the costs, inconvenience, and expenses occasioned by the litigation. Respondent No. 2 has affirmed receipt of the full and final amount pursuant to the settlement. In light of the above, there exists no impediment to the grant of the relief sought.

13. In view of the foregoing discussion and the settlement arrived at between the parties, the petition is allowed. Consequently, the proceedings arising out of FIR No. 624/2021 dated 19.11.2021, lodged at Police Station Badarpur, Delhi, under Sections 498A/406/34 of the IPC, are hereby quashed, subject to petitioner No. 1 paying the sum of Rs.20,000/- to respondent No. 2 within two weeks from today.

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



15. The petition accordingly stands disposed of.

JANUARY 21, 2026
'Bhupi'/SD/

PRATEEK JALAN, J