



\$~39 & 40 Q

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

+ CRL.M.C. 2485/2026

MANNU BOBAL

.....Petitioner

Through: Mr. Dev Kumar and Mr. Vikas
Kumar, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
with SI Ravindra Sharma, PS
Krishna Nagar
Mr. G. Sharma and Mr. Jaskaran,
Singh, Advocates for R-2 with R-2
in person.

+ CRL.M.C. 2526/2026 CRL.M.A. 10252/2026

VISHAL BOBAL & ORS.

.....Petitioner

Through: Mr. Dev Kumar and Mr. Vikas
Kumar, Advocates

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
with SI Ravindra Sharma, PS
Krishna Nagar
Mr. G. Sharma and Mr. Jaskaran,
Singh, Advocates for R-2 with R-2
in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

14.05.2026

1. By way of the present petitions, the petitioners seek quashing of
FIR No. 465/2020 dated 30.09.2020, registered at Police Station Krishna



Nagar, New Delhi, under Sections 354 and 323 of the Indian Penal Code, 1860 [“IPC”], which is the subject matter of CRL.M.C. 2485/2026, as well as FIR No. 150/2021 dated 14.04.2021, registered at the same police station under Sections 498A, 406, and 34 IPC, which forms the subject matter of CRL.M.C. 2526/2026. The petitions are predicated on settlement between the parties.

2. Issue notice. Mr. Yudhvair Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. G. Sharma, learned counsel, accepts notice on behalf of respondent No. 2.

3. All the petitioners in both petitions, as well as respondent No. 2, are personally present in Court and have been identified by their respective learned counsel, as well as by the Investigating Officer.

4. The petitions are taken up for disposal with the consent of the parties.

5. The complainant in both the FIRs is the same individual. She has been arrayed as respondent No. 2 in both petitions. In FIR No. 465/2020, the accused is the brother-in-law of the complainant, and in FIR No. 150/2021, the accused are the husband and his family members. The accused persons are the petitioners in the corresponding petitions.

6. Petitioner No. 1 in CRL.M.C. 2526/2026 and respondent No. 2 were married on 05.02.2018, according to Hindu rites and ceremonies, and one daughter was born out of the said wedlock. However, owing to matrimonial discord and temperamental differences between the parties, they have been living separately since 18.09.2020.

7. During the pendency of the proceedings, the parties have entered into a settlement recorded in a Memorandum of Understanding dated



14.07.2025, wherein it has been agreed that the marriage of the complainant and her husband would be dissolved by mutual consent. It was also agreed that the petitioners shall pay a total sum of Rs. 50,00,000/- to respondent No. 2 towards full and final settlement of all her claims, including maintenance (past, present, and future), permanent alimony, and jewellery. It has further been agreed that upon receipt of the aforesaid amount, respondent No. 2 shall not raise any further claims in this regard at any stage.

8. The said amount was to be paid in three instalments, namely, Rs. 15,00,000/- at the time of recording of the first motion petition under Section 13B(1) of the Hindu Marriage Act, 1955 [“HMA”]; Rs. 15,00,000/- at the time of recording of the second motion petition under Section 13B(2) of the HMA; and the remaining Rs. 20,00,000/- at the time of quashing of the subject FIRs, out of which Rs. 10,00,000/- shall be invested in an Fixed Deposit Receipt [“FDR”] in the name of the minor child, to be held under the guardianship of respondent No. 2 until she attains majority.

9. The settlement further records that the custody of the minor child shall remain with the complainant, while the husband shall be granted visitation rights for 2 hours on every third Sunday of the month, between 2:00 PM and 4:00 PM, at a mutually convenient place.

10. Learned counsel for the parties confirm that the settlement has been entered into voluntarily, without any coercion or undue influence. Respondent No. 2 further specifically states that she is satisfied with the terms of the settlement and has no subsisting grievance against the petitioners in both the petitions.



11. Pursuant to order dated 06.04.2026, the parties are present before the Court. In compliance with the settlement, an FDR of Rs. 10,00,000/- in the name of the minor child, held under the guardianship of respondent No. 2 until she attains majority, has been handed over to respondent No. 2. Mr. Sharma, on instructions from respondent No. 2, who is also present in Court, submits that the said FDR shall not be encashed and shall remain intact until the minor child attains majority. Accordingly, it is submitted that the terms of the settlement have been fully complied with.

12. Insofar as the allegations levelled against her brother-in-law, are concerned, respondent No. 2 submits that the allegation under Section 354 IPC arose out of a misunderstanding in the backdrop of the subsisting matrimonial dispute between the parties.

13. Pursuant to the settlement, the marriage between respondent No. 2 and petitioner No. 1 in CRL.M.C. 2526/2026 has been dissolved by a decree of divorce by mutual consent passed by the Family Court on 17.01.2026 in HMA No. 93/2026.

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

15. The Supreme Court has consistently held that, in appropriate cases, the High Courts, in exercise of their inherent powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), may quash criminal proceedings, including in respect of non-compoundable offences, where the parties have arrived at a genuine settlement, particularly when no overriding public interest is adversely affected.



16. 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 Supreme Court has also laid down guidelines for High Courts while

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

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. Respondent No. 2 has also stated before this Court that the allegations under Section 354 IPC against her brother-in-law, arose out of a misunderstanding in the context of the said matrimonial dispute. Applying the principles laid down by the Supreme Court, it is evident that respondent No. 2 has categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction and would serve only as an empty formality, thereby unnecessarily burdening the justice system and consuming public resources.

18. Having regard to the above discussion, the petition is allowed, and FIR No. 465/2020 dated 30.09.2020, registered at Police Station Krishna Nagar, New Delhi, under Sections 354 and 323 of IPC, which is the subject matter of CRL.M.C. 2485/2026, as well as FIR No. 150/2021 dated 14.04.2021, registered at the same police station under Sections 498A, 406, and 34 of the IPC, which is the subject matter of CRL.M.C. 2526/2026, alongwith all consequential proceedings arising therefrom, are hereby quashed.

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

20. The petition accordingly stands disposed of.

21. It is, however, made clear that the settlement and the present order

⁴ Emphasis supplied.



will not, in any way, affect the rights of the minor child, whose custody remains with the respondent No. 2.

MAY 14, 2026

SV/SD/

PRATEEK JALAN, J