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

+ **W.P.(CRL) 1126/2026**

NAMAN YADAV AND ORS

.....Petitioner

Through: Ms. Chanchal Kumari, Ms. Grisha
Sharma & Mr. Keshav Meena,
Advocates.

versus

STATE (GOVT.NCT OF DELHI) AND ANRRespondent

Through: Mr. Sanjay Lao, Standing Counsel
with Mr. Abhinav Kumar & Mr.
Aryan Sachdeva, Advocates.
SI Naveen, PS Vasant Kunj, South.
Mr. Mohit Kumar Singh & Ms.
Ritu Thomar, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **09.04.2026**

CRL.M.A. 10629/2026 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 1126/2026

1. The petitioners have filed the present 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. 511/2024 dated 14.11.2024, registered at Police Station Vasant Kunj, South West Delhi, under Sections 85, 316(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], along with all proceedings arising therefrom, on the ground that the parties have amicably settled the dispute.

2. Issue notice. Mr. Sanjay Lao, learned Standing Counsel, accepts



notice on behalf of State, and Mr. Mohit Kumar Singh, learned counsel, accepts notice on behalf of respondent No. 2.

3. Petitioner No. 1 is present in Court, while petitioner Nos. 2 to 4 have joined the proceedings through video conference; all the petitioners are duly identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is also present in person and is similarly identified by her learned counsel and the Investigating Officer.

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

5. Petitioner No. 1 and respondent No. 2 were married on 10.05.2024 in accordance with Hindu rites and customs; however, due to matrimonial discord and temperamental differences, they have been living separately since 24.07.2024. No child has been born out of the wedlock.

6. The impugned FIR was registered pursuant to a complaint lodged before the Crime Against Women Cell at the instance of respondent No. 2, who was, at the relevant time, wife of petitioner No. 1. Petitioner No. 2 is the mother, petitioner No. 3 is the sister, and petitioner No. 4 is the grandmother of petitioner No. 1.

7. It is stated that no chargesheet has been filed in the present matter as on date.

8. During the pendency of the proceedings, the parties have entered into a settlement, as recorded in a Settlement Deed dated 30.05.2025, executed under the aegis of the Delhi Mediation Centre, Patiala House Courts. In terms of the said settlement, a total sum of Rs. 70,00,000/- has been agreed upon as full and final consideration in favour of respondent No. 2, encompassing all her claims, including maintenance, alimony, and



any rights in the property of petitioner No. 1 and his family. The said amount is to be paid in staggered instalments, namely: Rs. 35,00,000/- at the time of withdrawal of Ct. Case No. 57679/2024; Rs. 25,00,000/- at the time of recording of the First Motion Petition; and the remaining Rs. 10,00,000/- at the time of quashing of the present FIR.

9. Learned counsel for the parties submit that the settlement has been entered into voluntarily, of the parties' own free will, and without any coercion or undue influence.

10. Pursuant to the aforesaid settlement, the marriage between the parties has been dissolved by mutual consent vide decree dated 20.01.2026 passed in HMA No. 1089/2025 by the learned Family Court, Patiala House Courts.

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

12. Although the offence under Section 85 of BNS (corresponding to Section 498A of the IPC) is non-compoundable, the Supreme Court has consistently held that High Courts, in exercise of their inherent powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the CrPC), may quash criminal proceedings in appropriate cases, including those involving non-compoundable offences, where the parties have arrived at a genuine settlement and continuation of proceedings would serve no useful purpose, particularly in the absence of any overriding public interest.

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 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:

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



“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

14. In the present case, the proceedings arise out of a matrimonial relationship between the parties, which has already culminated in a decree of divorce. Applying the principles laid down by the Supreme Court, it is evident that respondent No. 2 has categorically affirmed before the Court that the settlement has been arrived at voluntarily. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, thereby constituting an empty formality and unnecessarily burdening the justice system while consuming valuable public resources.

15. The settlement contemplates payment of a total sum of Rs. 70,00,000/- to respondent No. 2. Out of the said amount, Rs. 60,00,000/- has already been paid. The remaining amount of Rs. 10,00,000/- has been handed over to respondent No. 2 in Court today. In view of the aforesaid compliance, there is no impediment to the grant of the relief sought.

16. Having regard to the above discussion, the present petition is allowed and FIR No. 511/2024 dated 14.11.2024, registered at Police Station Vasant Kunj, South West Delhi, under Sections 85, 316(2) and 3(5) of BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

18. The petition accordingly stands disposed of.

PRATEEK JALAN, J

APRIL 9, 2026/‘pv’/SD/

⁴ Emphasis supplied.