



\$~113-Q

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3192/2026, CRL.M.A. 12936/2026, CRL.M.A.
12937/2026

MRS. RENU BALAPetitioner

Through: Mr. O.P. Sharma, Advocate.

versus

STATE OF N.C.T. OF DELHI & ANR.Respondent

Through: Mr. Hitesh Vali, APP
SI Madhu.
Mr. Manish Kumar, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

27.04.2026

1. The petitioner has 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. 57/2018, dated 30.06.2018, registered at Police Station Mandir Marg, District New Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State, and Mr. Manish Kumar, learned counsel, accepts notice on behalf of respondent No. 2.

3. The petitioner is present in Court, and is identified by her learned counsel, as well as by the Investigating Officer ["IO"]. Respondent No. 2 is also present in person, and is identified by her learned counsel and the IO.



4. The petition is taken up for disposal with the consent of learned counsel for the parties.
5. The impugned FIR was registered at the instance of Respondent No. 2, who is the sister-in-law of the petitioner. The husband and mother-in-law of Respondent No. 2 were also named in the FIR; however, both have since passed away, and the only surviving accused is the present petitioner, who is the sister-in-law.
6. Respondent No. 2 was married to the late Manoj Kumar on 16.04.2012, as per Hindu rites and ceremonies. Due to matrimonial discord and temperamental differences between the parties, they had been living separately since September 2016. One female child was born from the wedlock, whose custody remains with respondent No. 2.
7. Respondent No. 2 lodged a formal complaint before the Crime against Women Cell, Mandir Marg, against her husband, mother-in-law, sister-in-law, i.e., the present petitioner, and a friend of her husband, alleging mental and physical cruelty inflicted upon her for demands of dowry. Based upon the said complaint, the subject FIR was registered on 30.06.2018. Upon completion of investigation, a chargesheet was filed against her husband under Sections 498A/406/34 of the IPC, and respondent No. 2's mother-in-law and the present petitioner were placed in Column 12 of the chargesheet.
8. During the pendency of the proceedings, the husband and the mother-in-law expired. Accordingly, the proceedings against them stand abated. Their death certificates have been annexed to the present petition.
9. The parties have thereafter entered into a settlement, recorded in a Settlement Deed dated 27.03.2025, under the aegis of the Delhi Mediation Centre, Patiala House Courts, whereby respondent No. 2 and



the petitioner amicably resolved all their disputes. It was agreed that respondent No. 2 would not pursue the present FIR against the present petitioner, particularly as respondent No. 2's husband and his mother have passed away and proceedings against them stand abated. The settlement further records that respondent No. 2 and her minor daughter hold a one-seventh share in a property bearing No. 948/22, Shiv Nagar, Pataudi Road, Gurgaon, which shall be sold to the petitioner for a total consideration of Rs. 22,00,000/-, subject to court permission. It was also agreed that upon execution of the sale deed and receipt of the settled amount, the petitioner shall seek quashing of the FIR before the High Court, with full cooperation from respondent No. 2.

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

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

12. Although the offence under Section 498A of IPC is non-compoundable, 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.

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

¹ (2012) 10 SCC 303.



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:

“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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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 dispute. In view of the subsequent settlement dated 27.03.2025 entered

⁴ Emphasis supplied.



into between respondent No. 2 and petitioner, and considering that respondent No. 2's husband and her mother-in-law have since expired, respondent No. 2 has unequivocally affirmed before the Court that the compromise is voluntary and that she does not wish to pursue the matter further. In these circumstances, the likelihood of conviction is remote, and continuation of the criminal proceedings would serve no useful purpose, amounting merely to an exercise in futility and an unnecessary burden on the judicial system.

15. The settlement contemplates payment of a sum of Rs. 22,00,000/- to respondent No. 2 and her minor child. I am informed that the property has been sold and the entire amount has been paid. There is therefore no impediment to the grant of the relief sought.

16. Having regard to the above discussion, the petition is allowed, and FIR No. 57/2018, dated 30.06.2018, registered at Police Station Mandir Marg, New Delhi, under Sections 498A/406/34 of IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

18. The petition, alongwith the pending applications, accordingly stands disposed of.

PRATEEK JALAN, J

APRIL 27, 2026

SS/JM/