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

+ CRL.M.C. 3324/2026, CRL.M.A. 13489/2026

ANOJ KUMAR ALIAS ANUJ KUMAR JAIN AND ANR.

.....Petitioner

Through: Ms. Pallavi Anand and Mr.
Bhaskar Sundaram, Advocates
With petitioners in person.

versus

THE STATE AND ANR

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
with ASI Jay Prakash Singh, PS
Burari
Father of the original complainant
(since deceased)

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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30.04.2026

1. The present petition has been filed 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. 101/2026 dated 03.02.2026, registered at Police Station Burari under Sections 85/316(2)/3(5) of Bharatiya Nyaya Sanhita, 2023, ["BNS"], alongwith all proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.

2. Issue notice. Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No. 2, who is the legal representative of the complainant in the said FIR, is



present in person, and accepts notice. He further states that he does not wish to be represented by counsel.

3. The petitioners are present in Court and are identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2, who is the father of the original complainant, is also present in Court and is identified by the Investigating Officer.

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

5. The impugned FIR arises out of a matrimonial dispute between petitioner No. 1 and the complainant, who were married on 17.11.2024. Petitioner No. 2 is the mother of petitioner No. 1, while petitioner Nos. 3 and 4 are his brother and sister-in-law, respectively.

6. It is submitted that no child was born out of the wedlock and, owing to matrimonial discord and temperamental differences, the complainant had lodged a complaint before the Crime Against Women Cell on 16.04.2025, on the basis of which the present FIR came to be registered.

7. It is further noted that the complainant passed away on 09.07.2025, i.e., prior to the registration of the FIR on 03.02.2026. As her mother had predeceased her, respondent No. 2, being her father, is the sole surviving next of kin from her parental family and is present before this Court. He submits that, in view of the demise of the complainant, he has entered into a settlement with the petitioners and does not wish to pursue the matter any further.

8. During the pendency of the proceedings, the petitioners and respondent No. 2 have amicably resolved their disputes by way of a



settlement dated 12.02.2026, pursuant to which a sum of Rs. 2,50,000/- has been paid to respondent No. 2. Respondent No. 2, who is present before this Court, acknowledges receipt of the said amount in full and confirms that the terms of settlement have been duly complied with.

9. Learned counsel for the parties submit, and respondent No. 2 affirms, that the settlement has been arrived at voluntarily, without any coercion, undue influence, or pressure.

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

11. Although the offence under Section 85 of the BNS (corresponding to Section 498A of the IPC) is non-compoundable, it is well settled by the Supreme Court that High Courts, in the exercise of their inherent jurisdiction under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), may, in appropriate cases, quash criminal proceedings on the basis of a settlement between the parties, even in respect of non-compoundable offences, provided that such exercise does not impinge upon any overriding public interest.

12. 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

¹ (2012) 10 SCC 303.



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 offences under Section 320 of the Code. No doubt, under Section 482 of

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

13. In the present case, the proceedings emanate from a matrimonial relationship and are essentially private in nature, arising out of personal discord between the parties, without any element of public interest. It is pertinent to note that the substratum of the dispute stands materially

⁴ Emphasis supplied.



altered in view of subsequent developments, particularly the demise of the original complainant, who was the principal aggrieved party, and the fact that respondent No. 2, being her sole surviving next of kin, has consciously entered into a settlement with the petitioners and has unequivocally stated that he does not wish to pursue the allegations any further. Respondent No. 2, who is present before this Court, further affirms that he has received the entire settled amount in terms of the settlement. There is, therefore, no impediment to grant of the relief sought.

14. In view of the nature of the allegations and the subsequent settlement between the parties, the likelihood of conviction is remote. Continuation of the criminal proceedings in such circumstances would, therefore, be an exercise in futility, serving no useful purpose and resulting only in unnecessary consumption of judicial time and public resources.

15. In view of the aforesaid facts and circumstances, the present petition is allowed, and FIR No. 101/2026 dated 03.02.2026, registered at Police Station Burari under Sections 85/316(2)/3(5) BNS (registered on the basis of a complaint dated 16.04.2025), alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

17. The petition, alongwith pending applications, accordingly stands disposed of.

PRATEEK JALAN, J

APRIL 30, 2026/‘sv’/SD/