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

+ CRL.M.C. 3400/2026

SONU AND ORS.

.....Petitioner

Through: Mr. R. Singh Arora, Adv.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondent

Through: Ms. Manjeet Arya, APP along with  
Mr. Abhimanyu Arya, Adv  
SI Santosh  
Mr.Gaurav Nigam for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

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**04.05.2026**

1. The petitioners have instituted 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. 0806/2021 dated 21.11.2021, registered at Police Station Nangloi, Outer District, Delhi, under Sections 498A, 406, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all consequential proceedings arising therefrom, on the ground that the parties have amicably settled their disputes.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of State. Mr. Gaurav Nigam, learned counsel, accepts notice on behalf of respondent No.2.



3. The petitioners are present in Court and have been duly identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is also present in person and has been duly 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. The marriage between petitioner No. 1 and respondent No. 2 was solemnized on 10.12.2013 in accordance with Hindu rites and ceremonies, and no child was born out of the wedlock. However, owing to matrimonial discord and temperamental differences, the parties have been living separately since August, 2020.

6. Subsequently, respondent No. 2 lodged a formal complaint before the Crime Against Women Cell, which culminated in the registration of the impugned FIR against the petitioners herein. Upon completion of the investigation, a chargesheet was filed in the matter.

7. During the pendency of the proceedings, petitioner No. 1 and respondent No. 2 have amicably resolved their disputes, and the terms of settlement have been reduced into writing by way of a Memorandum of Understanding dated 06.06.2024. In terms thereof, petitioner No. 1 agreed to pay a total sum of Rs. 1,00,000/- to respondent No. 2 towards full and final settlement of all claims, including maintenance (past, present, and future), alimony, stridhan, dowry, gifts, expenses, and any other claims arising out of the marriage. The said amount was to be paid in two instalments, namely Rs. 50,000/- at the time of the first motion and Rs. 50,000/- at the time of the second motion. Respondent No. 2 submits that she has received the entire settled amount in terms of the aforesaid



Memorandum of Understanding.

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

9. Pursuant to the aforesaid settlement, the marriage between petitioner No. 1 and respondent No. 2 stands dissolved by a decree of divorce by mutual consent, passed by the learned Family Court on 23.09.2025 in HMA No. 2400/2025.

10. Learned counsel for the parties further confirm that the settlement has been entered into voluntarily, out of the parties' free will, and without any coercion, undue influence, or pressure.

11. Although offences under Section 498A of the IPC are non-compoundable in nature, the Supreme Court has consistently held that, in appropriate cases, the High Courts may exercise their inherent powers under Section 482 of the CrPC (now corresponding to Section 528 of the BNSS) to quash criminal proceedings, even in respect of such non-compoundable offences, where the parties have amicably settled their disputes and no overarching public interest is adversely affected.

12. In *Gian Singh v. State of Punjab and Anr.*<sup>1</sup>, the Supreme Court 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*

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<sup>1</sup> (2012) 10 SCC 303.



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.”<sup>2</sup>

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.*<sup>3</sup>, 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 the Code, the High Court has inherent power to quash the criminal

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<sup>2</sup> Emphasis supplied.

<sup>3</sup> (2014) 6 SCC 466.



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.”<sup>4</sup>

13. In the present case, the dispute between the parties emanates from a matrimonial relationship, which has since been brought to an end by a decree of divorce. Applying the principles laid down by the Supreme Court, it is also noted that respondent No. 2 has unequivocally affirmed before this Court that the settlement has been entered into voluntarily. In view of these circumstances, the likelihood of the proceedings culminating in a conviction is remote, and their continuation would serve no useful purpose, amounting merely to an empty formality that would



unnecessarily burden the justice system and deplete valuable judicial resources.

14. The terms of the settlement have already been duly complied with, and respondent No. 2 has confirmed that she has received the entire settled amount, and no longer has any subsisting grievance. In view thereof, there exists no impediment to the grant of the relief sought.

15. In view of the foregoing, the present petition is allowed. Consequently, FIR No. 0806/2021 dated 21.11.2021, registered at Police Station Nangloi, Outer District, Delhi, under Sections 498A, 406, and 34 IPC, 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**

**MAY 4, 2026**

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<sup>4</sup> Emphasis supplied.