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

+ **CRL.M.C. 3627/2026**

SH. ANIL AGGARWAL

.....Petitioner

Through: Mr. Neeraj Gupta, Advocate with
Petitioner in person.

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Ms. Manjeet Arya, APP with Mr.
Abhimanyu Arya, Advocate.
Mr. Mehul Mittal, Advocate for R2
with R2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **11.05.2026**

CRL.M.A. 14751/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 3627/2026

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. 273/2025 dated 08.09.2025, registered at Police Station Rani Bagh, Outer District, Delhi, under Sections 74/75/351(2) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], and all proceedings emanating therefrom, on the ground of settlement.



2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Mehul Mittal, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.
3. The marriage between the son of petitioner No. 1, Mr. Nirmesh Singhal, and respondent No. 2 was solemnised on 22.04.2014. Two children were born from the wedlock. Subsequently, Mr. Singhal passed away on 22.05.2025.
4. Respondent No. 2 lodged a formal complaint before the Station House Officer on 30.07.2025, which culminated in the impugned FIR, against two accused persons, being her father-in-law and brother-in-law, alleging cruelty and outraging of modesty. Upon completion of the investigation, a chargesheet was filed.
5. By order dated 16.02.2026, the Sessions Court framed charges against the petitioner herein under Sections 74/75(ii) of the BNS. Mr. Ravi Aggarwal [brother-in-law of respondent No. 2] was discharged by the Sessions Court *vide* order on charge dated 16.02.2026.
6. The parties have since settled their disputes comprehensively, as recorded in a Memorandum of Understanding dated 28.04.2026 [“MoU”], entered into between the petitioner, respondent No. 2, Mr. Ravi Aggarwal, and Mrs. Nikita Aggarwal [sister-in-law of respondent No. 2].
7. In light of the aforesaid, the parties seek quashing of the impugned FIR.
8. The parties are present in Court, and have been duly identified by their respective learned counsel as well as the Investigating Officer.
9. Respondent No. 2, who is present in person and represented by



counsel, submits that the allegations, including those under Sections 74/75(ii) of the BNS, arose out of a misunderstanding and that she does not wish to pursue the same.

10. The MoU contemplates payment of a sum of Rs. 19,50,000/- to respondent No. 2, alongwith return of certain articles mentioned therein. Respondent No. 2 was also to execute a Release/Relinquishment Deed in respect of her 50% share in an immovable property [WZ-198-E, Upper Ground Floor, built on Plot No. 11, Block F, out of Khasra No. 376, Delhi] in favour of Mrs. Nikita Aggarwal. I am informed that respondent No. 2 has executed the said Deed, and that an amount of Rs. 10,00,000/- has been received by her in terms of the MoU. A demand draft for the remaining amount of Rs. 9,50,000/- has been handed over to respondent No. 2 in Court. She also confirms receipt of the articles mentioned in the MoU. The settlement has, therefore, been implemented.

11. Although the MoU records that the settlement amount is also towards the claim of the minor children, the parties have clearly understood that the rights of the minor children remain unaffected by the settlement. The statement of the petitioner to this effect has been recorded in Court. He made his statement in Hindi, which I have translated into English.

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

13. Although the offences under Sections 74/75(ii) of the BNS are non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], 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.

14. 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-*

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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*

15. In the present case, the proceedings between the parties arises out of a matrimonial relationship. Respondent No. 2 has stated that the allegations under Sections 74/75(ii) of the BNS arose on account of misunderstandings, and that she does not wish to pursue the same. The allegations, therefore, do not implicate any larger public interest or involve grave criminality. Applying the principles laid down by the Supreme Court, it is pertinent to note that respondent No. 2 also affirmed the voluntary nature of the settlement before the Court. In these circumstances, the continuation of criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, while merely adding to the burden on the justice system and causing unnecessary consumption of public resources.

16. The settlement amount of Rs. 19,50,000/-, as well as the articles mentioned in the MoU have also been received by respondent No. 2. There is, therefore, no impediment to grant of the relief sought.

17. Having regard to the above discussion, the petition is allowed, and FIR No. 273/2025 dated 08.09.2025, registered at Police Station Rani Bagh, Outer District, Delhi, under Sections 74/75/351(2) of the BNS, alongwith all consequential proceedings arising therefrom, is hereby quashed.

⁴ Emphasis supplied.



18. The parties will remain bound by the terms of the settlement.
19. The petition accordingly stands disposed of.
20. It is, however, made clear that the settlement and the present order will not, in any way, affect the rights of the minor children, whose custody remains with respondent No. 2.

PRATEEK JALAN, J

MAY 11, 2026
SS/KA/