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

+ **CRL.M.C. 3866/2026**

SATISH BUNDELA & ORS.

.....Petitioners

Through: Mr. Nitya Sharma & Mr. Rajat
Sharma, Advocate with Petitioners
in person.

versus

STATE G N C T DELHI

PS PRASAD NAGAR & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for State
with with SI Rahul Mehta, PS
Prasad Nagar
Mr. Devender Kumar, Advocate
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.05.2026**

CRL.M.A. 15911/2026 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 3866/2026

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. 211/2022 dated 31.03.2022, registered at Police Station Prasad Nagar, Delhi, under Sections 406/498A/34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings arising



therefrom, on the ground that the parties have amicably settled their disputes.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of State, and Mr. Devender Kumar, 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 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 was, at the relevant time, the husband of respondent No. 2. Petitioner No. 2 is his brother, petitioner No. 3 is his mother, and petitioner No. 4 is his sister. I am informed that the father of petitioner No.1 was also arrayed as an accused in the present matter. However, during the pendency of the proceedings, he passed away on 03.02.2022, and consequently, the proceedings against him stand abated. A copy of the death certificate has been annexed along with the petition.

6. Petitioner No. 1 and respondent No. 2 were married on 04.03.2017 according to Hindu rites and ceremonies, and one daughter was born from the said wedlock. Owing to matrimonial discord and temperamental differences between the parties, they have been living separately since 20.09.2018.

7. The impugned FIR has been registered at the instance of respondent No. 2, who had earlier lodged a complaint before the Crime Against Women Cell on 23.06.2021. The said complaint, after inquiry,



culminated in the registration of the present FIR against petitioner Nos. 1 to 4.

8. Upon completion of the investigation, a chargesheet was filed on 05.07.2024, whereupon charge under Section 323 of IPC was also added.

9. The parties have thereafter entered into a Settlement Deed dated 19.07.2025 under the aegis of the Delhi Mediation Centre, Tis Hazari Courts, Central District, whereby it has been mutually agreed that all disputes arising out of their marriage, including claims towards maintenance, permanent alimony, stridhan, and all past, present and future claims, as well as all civil and criminal proceedings between them, stand fully and finally settled for a total settlement amount of Rs. 2,75,000/-.

10. The said amount is agreed to be paid in three instalments, i.e., Rs. 75,000/- at the time of first motion, Rs. 1,00,000/- alongwith return of jewellery articles at the time of recording of the statement of second motion, and Rs. 1,00,000/- at the time of recording of the statement in the proceedings for quashing of the subject FIR. It is further agreed that, as part of the settlement, the minor child shall remain in the custody of petitioner No. 1/husband.

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

12. Pursuant to the settlement between the parties, the marriage has been dissolved by a decree of divorce by mutual consent *vide* order dated 03.02.2026 passed by the Family Court in HMA No. 1549/2025.

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



14. Although the offence under Section 498A of the Indian Penal Code, 1860 is non-compoundable, the Supreme Court has consistently held that, in appropriate cases, the High Courts may exercise their inherent powers under Section 528 of BNSS (corresponding to Section 482 of CrPC) to quash criminal proceedings, including in respect of non-compoundable offences, where the parties have amicably settled their disputes and the continuation of such proceedings would serve no useful purpose, particularly when no overriding public interest is adversely affected.

15. 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***

¹ (2012) 10 SCC 303.



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 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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

16. 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 tests laid down by the Supreme Court, it is evident that respondent No. 2 has also categorically affirmed the voluntary nature of the settlement before this Court. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction and would therefore serve no useful purpose. On the contrary, it would amount to an empty formality, unnecessarily burdening the justice system and consuming valuable public resources.

17. The settlement contemplates payment of a total sum of Rs. 2,75,000/- to respondent No. 2, out of which Rs. 1,75,000/- has already been paid. The balance amount of Rs. 1,00,000/- has been handed over to

⁴ Emphasis supplied.



respondent No. 2 in Court today. In view of the aforesaid, the terms of settlement stand complied with, and there is no impediment in granting the relief sought.

18. Having regard to the above discussion, the present petition is allowed, and FIR No. 211/2022 dated 31.03.2022, registered at Police Station Prasad Nagar, Delhi, under Sections 406/498A/34 of IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

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

21. It is, however, made clear that the settlement as well as the present order shall not, in any manner, affect the rights of the minor child, whose custody shall continue to remain with petitioner No. 1/father.

PRATEEK JALAN, J

MAY 18, 2026

'pv'/SD/