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

+ CRL.M.C. 3928/2026

HEERA @ POOJA

.....Petitioner

Through: Ms. Yashima Sharma, Mr. Aamir Khan and Ms. Heeba Ansari, Advocates

versus

THE STATE GNCTD AND ORS

.....Respondents

Through: Ms. Manjeet Arya, APP for State with IO
Mr. Devender Kumar, Advocate with Petitioners 2 to 6 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.05.2026**

1. The petitioner has 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. 203/2019 dated 27.04.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406 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. Manjit Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Devender Kumar, learned counsel, accepts notice on behalf of respondent Nos. 2 to 6.

3. The petitioner is present in Court and has been identified by her learned counsel as well as by the Investigating Officer. Respondent Nos. 2 to 6 are also present in Court and have been similarly identified by their



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 impugned FIR was registered at the instance of the petitioner, who was, at the relevant time, the wife of respondent No. 2. Respondent Nos. 3 and 4 are the parents of respondent No. 2, respondent No. 5 is his brother, and respondent No. 6 is his sister.

6. The petitioner and respondent No. 2 were married on 23.01.2017 in accordance with Hindu rites and ceremonies. No child was born out of the wedlock. Owing to matrimonial discord and temperamental differences, the parties have been living separately since June 2017.

7. The petitioner had initially lodged a formal complaint before the Crime Against Women Cell, pursuant to which the impugned FIR came to be registered against her husband, parents-in-law, brother-in-law, and sister-in-law.

8. During the pendency of the proceedings, the parties amicably resolved all their disputes, and entered into a Settlement Agreement dated 06.08.2025. Under the terms of the said settlement, respondent No. 2 agreed to pay a total sum of Rs. 3,10,000/- to the petitioner towards full and final settlement of all claims arising out of the marriage, including claims relating to stridhan, dowry articles, maintenance, execution proceedings, and all past, present, and future claims of the petitioner.

9. It was further agreed between the parties that the aforesaid settlement amount would be paid in three instalments, namely, Rs. 1,00,000/- at the time of recording of the statements in the first motion petition, along with return of certain admitted jewellery/articles, Rs.



1,10,000/- at the time of recording of the statements in the second motion petition, and the remaining amount of Rs. 1,00,000/- at the time of quashing of the subject FIR.

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

11. Pursuant to the aforesaid settlement, the marriage between the petitioner and respondent No. 2 stands dissolved by a decree of divorce by mutual consent *vide* order dated 24.01.2026 passed by the learned Family Court in HMA No. 143/2026.

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

13. Although the offence under Section 498A of the IPC is non-compoundable, it is well settled that the High Courts, in exercise of their inherent powers under Section 528 of the BNSS, corresponding to Section 482 of the CrPC, may quash criminal proceedings even in respect of non-compoundable offences where the parties have amicably resolved their disputes, particularly when the continuation of such proceedings would serve no useful purpose and no overriding public interest is affected thereby.

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

¹ (2012) 10 SCC 303.



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 and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

15. In the present case, the disputes between the parties arise out of a matrimonial relationship, which has already culminated in a decree of divorce by mutual consent. Applying the principles laid down by the



Supreme Court in the aforesaid decisions, it is evident that the parties have voluntarily and amicably resolved all their disputes, and respondent No. 2 has also affirmed the voluntary nature of the settlement before this Court. In these circumstances, the possibility of conviction appears remote and bleak, and continuation of the criminal proceedings would serve no useful purpose. Rather, it would amount to an unnecessary prolongation of litigation, resulting in avoidable burden on the justice delivery system and wastage of valuable judicial time and public resources.

16. The settlement contemplates payment of a total sum of Rs. 3,10,000/- to the petitioner, out of which an amount of Rs. 2,10,000/- has already been received by her. The balance amount of Rs. 1,00,000/- has been handed over to the petitioner in Court today by way of a demand draft. The settlement thus stands fully complied with, and there remains no impediment to the grant of the relief sought in the present petition.

17. Having regard to aforesaid, the present petition is allowed, and FIR No. 203/2019 dated 27.04.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406 of the IPC, along with all consequential proceedings arising therefrom, is hereby quashed.

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

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

PRATEEK JALAN, J

MAY 18, 2026/‘pv’/SD/

⁴ Emphasis supplied.