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

+ CRL.M.C. 4228/2026 , CRL.M.A. 17045/2026

ROHIT KUMAR & ORS.

.....Petitioner

Through: Mr. A K Suri, Mr. Ankit Kansal,
Mr. Manoj Manderna, Ms. Sumbul
Nizam, Advs

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
Ms. Shalu Kataria, Ms. Shruti
Kapoor, Mr. Bhuvnesh Kalsan,
Advs for R-2.
SI Puran Singh, PS Dabri

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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26.05.2026

1. The present petition has been filed by the petitioners 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. 0711/2023 dated 28.09.2023, registered at Police Station Dabri under Sections 498A/406/34 of the Indian Penal Code, 1860, alongwith all consequential proceedings arising therefrom, on the ground that the disputes between the parties have been amicably resolved pursuant to a settlement arrived at between them.
2. Issue notice. Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State. Ms. Shalu Kataria, learned counsel, accepts notice on behalf of respondent No. 2.
3. The petitioners are present through video conferencing and have been duly identified by their learned counsel as well as by the



Investigating Officer. Respondent No. 2 is also present through video conferencing 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 petitioner No. 1 and respondent No. 2 were married on 21.11.2021, as per Hindu rites and ceremonies, and no child was born from the wedlock. Due to matrimonial discord and temperamental differences between the parties, they have been living separately since 30.11.2022.

6. The impugned FIR came to be registered, pursuant to a formal complaint before the Crime Against Women Cell, at the instance of respondent No. 2, who was, at the relevant time, the wife of petitioner No. 1. Petitioner Nos. 2 and 3 are the parents of petitioner No. 1 and have also been arrayed as accused in the present case. Upon completion of investigation, a chargesheet was filed on 20.07.2024.

7. During the pendency of the proceedings, the parties amicably resolved all their disputes under the aegis of the Counselling Cell, Family Court, Dwarka District Courts, Delhi, and the terms of settlement were reduced into writing by way of a Settlement Deed dated 10.02.2025. In terms thereof, the parties agreed to dissolve their marriage by mutual consent and settle all claims, including maintenance, permanent alimony and stridhan, for a total settlement amount of Rs. 4,15,000/-, along with the return of certain articles. It was further agreed that the said amount would be paid in installments, namely, Rs. 1,00,000/- along with the return of articles at the time of recording of statements in the first motion



petition; Rs. 50,000/- at the time of withdrawal of the proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005; Rs. 1,15,000/- at the time of recording of statements in the second motion petition; and the remaining amount of Rs. 1,50,000/- at the time of quashing of the subject FIR.

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

9. Pursuant to the aforesaid settlement, the marriage between petitioner No. 1 and respondent No. 2 has since been dissolved by a decree of divorce by mutual consent *vide* order dated 09.12.2025, passed by the learned Family Court in HMA No. 3716/2025.

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

11. The Supreme Court has consistently held that the High Courts, while exercising their inherent jurisdiction under Section 528 of the BNSS (corresponding to Section 482 of the Cr.P.C.), are empowered to quash criminal proceedings, including those relating to non-compoundable offences, where the parties have amicably settled their disputes and where such quashing does not adversely affect any overriding public or societal 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

¹ (2012) 10 SCC 303.



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-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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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 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 disputes between the parties arise out of a

⁴ Emphasis supplied.



matrimonial relationship, which has already been dissolved by a decree of divorce. Applying the principles laid down by the Supreme Court, this Court notes that respondent No. 2 has unequivocally affirmed before the Court that the settlement has been entered into voluntarily and without any coercion. In view thereof, the possibility of conviction appears remote, and continuation of the criminal proceedings would serve no meaningful purpose and would only result in unnecessary prolongation of litigation, apart from burdening the justice delivery system and consuming valuable public resources.

14. In terms of the settlement arrived at between the parties, petitioner No. 1 had agreed to pay a total sum of Rs. 4,15,000/- to respondent No. 2 towards full and final settlement of all her claims. Out of the said amount, a sum of Rs. 2,65,000/- has already been received by respondent No. 2, while the remaining amount of Rs. 1,50,000/- has been paid to her today. There is, therefore, no impediment in granting the relief sought.

15. In view of the foregoing, the petition is allowed. Consequently, FIR No. 0711/2023 dated 28.09.2023, registered at Police Station Dabri under Sections 498A/406/34 of IPC, alongwith all consequential proceedings arising therefrom, stands 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 26, 2026/Tg/SD/