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

+ CRL.M.C. 4238/2026 & CRL.M.A. 17065/2026

VIKAS KUMAR AND ORSPetitioner
Through: Mr. Neeraj Sharma, Advocate.

versus

STATE NCT OF DELHI AND ANRRespondent
Through: Mr. Hitesh Vali, APP with SI Nitin Burari.
Mr. Parveen Tyagi, Mr. Shubham Bhushan, Mr. Nishu Tyagi, Mr. Ujjwal Tyagi, Mr. Puneet Sharma Advocates.

+ CRL.M.C. 4280/2026 & CRL.M.A. 17227/2026

VIKAS KUMAR AND ORSPetitioner
Through: Mr. Neeraj Sharma, Advocate.

versus

THE STATE NCT OF DELHI AND ANRRespondent
Through: Mr. Hitesh Vali, APP with SI Nitin Burari.
Mr. Parveen Tyagi, Mr. Shubham Bhushan, Mr. Nishu Tyagi, Mr. Ujjwal Tyagi, Mr. Puneet Sharma Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **26.05.2026**

1. By way of these petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482



of the Code of Criminal Procedure, 1973 [“CrPC”]), the petitioners seek quashing of FIR No. 827/2022 dated 30.10.2022, under Sections 498A/406/34 of the Indian Penal Code, 1860 [“IPC”] [subject matter of CRL.M.C. 4238/2026], and FIR No. 332/2022 dated 03.04.2022, under Section 380 of the IPC [subject matter of CRL.M.C. 4280/2026], both registered at Police Station Burari, District North, Delhi, alongwith all consequential 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 the State. Mr. Parveen Tyagi, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.

3. Petitioner No. 1 and respondent No. 2 were married on 29.06.2020. A child was born from the wedlock on 06.09.2021. However, owing to matrimonial discord and differences in temperament, the parties have been living separately since November 2021.

4. Subsequently, FIR No. 332/2022 dated 03.04.2022 was registered at the instance of respondent No. 2 against six accused persons, being her husband, parents-in-law, brother-in-law, and sisters-in-law [petitioners in CRL.M.C. 4280/2026], alleging theft of her jewellery articles. Upon completion of the investigation, a chargesheet was filed under Sections 380/411 of the IPC, chargesheeting petitioner No. 1 alone.

5. Respondent No. 2 also lodged a formal complaint with the Crime Against Women Cell, which led to the registration of FIR No. 827/2022 dated 30.10.2022, against nine accused persons, being her husband and his family members [petitioners in CRL.M.C. 4238/2026], alleging



cruelty and demands of dowry. Upon completion of the investigation, a chargesheet was filed under Sections 498A/406/34 of the IPC, and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

6. During the pendency of the proceedings, the parties amicably resolved their disputes, as recorded in the Settlement dated 12.07.2025 entered into between petitioner No. 1 and respondent No. 2 under the aegis of the Delhi Mediation Centre, Tis Hazari Courts, Delhi, as well as a Compromise Deed dated 12.07.2025 executed between the petitioners in CRL.M.C. 4280/2026 and respondent No. 2.

7. In light of the foregoing, the parties seek quashing of the impugned FIRs.

8. The parties are present in Court, and have been duly identified by their respective learned counsel as well as the Investigating Officer.

9. Pursuant to the settlement, the marriage between petitioner No.1 and respondent No. 2 has been dissolved by a decree of divorce by mutual consent, passed by the Family Court on 13.10.2025.

10. The settlement contemplates payment of a sum of Rs. 42,00,000/- by petitioner No. 1 to respondent No. 2, of which an amount of Rs. 10,00,000/- is to be kept in an FDR in the name of their minor child, alongwith exchange of certain jewellery articles specified therein, towards full and final settlement of all claims. I am informed that an amount of Rs. 32,00,000/-, alongwith the jewellery articles, has already been paid/returned to respondent No. 2 in terms thereof. An FDR of Rs.10,00,000/- has also been handed over to her in Court.

11. Respondent No. 2, who is present in Court and represented by counsel, submits that the allegations, including those of theft, were



levelled in the wake of matrimonial discord, and that she does not wish to pursue the same. Learned counsel for the parties also confirm that the settlement has been arrived at voluntarily and without any coercion, undue influence, or pressure.

12. It is well settled by the Supreme Court that, in appropriate circumstances, High Courts may, in the exercise of their inherent powers under Section 528 of the BNSS [corresponding to Section 482 of the CrPC], quash criminal proceedings, including those relating to non-compoundable offences, where a compromise has been reached between the accused and the complainant, provided that no overriding public interest would be adversely affected.

13. 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,*

¹ (2012) 10 SCC 303.



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:

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

14. Applying the principles discussed above to the present matters, this Court is of the view that the cases at hand constitute a fit occasion for the exercise of its inherent jurisdiction to quash the FIRs. The disputes arise from matrimonial discord, and it is evident that the parties have terminated their marital relationship and seek to move forward with their respective lives. In view of the amicable settlement reached between the parties, the likelihood of conviction is also remote. Continuation of the criminal proceedings would, therefore, serve no useful purpose and would impose an unnecessary burden on judicial resources.

15. As noted above, the settlement has been duly implemented. There is, therefore, no impediment to grant of the relief sought.

16. In view of the foregoing, the petitions are allowed. Accordingly, FIR No. 827/2022 dated 30.10.2022, under Sections 498A/406/34 of the IPC [subject matter of CRL.M.C. 4238/2026], and FIR No. 332/2022

⁴ Emphasis supplied.



dated 03.04.2022, under Section 380 of the IPC [subject matter of CRL.M.C. 4280/2026], both registered at Police Station Burari, District North, Delhi, alongwith all consequential proceedings arising therefrom, are hereby quashed.

17. The parties will remain bound by the terms of the settlement.

18. The petitions, alongwith pending applications, accordingly stand disposed of.

19. It is, however, made clear that the settlement and the present order will not, in any way, affect the rights of the minor child, whose custody remains with respondent No. 2.

PRATEEK JALAN, J

MAY 26, 2026

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