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

+ **CRL.M.C. 4484/2026**

SATYA PRAKASH & ANR.

.....Petitioners

Through: Mr. Abhishek Rai, Advocate
alongwith Petitioners in Person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for State.
SI Vijay Pal Singh, PS CWC.
Mr. Shubhankar Birla & Ms. Neha,
Advocate alongwith R-2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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01.07.2026

CRL.M.A. 18453/2026

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 4484/2026

1. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973), seeking quashing of FIR No. 0020/2017 dated 23.02.2017, registered at Police Station Crime Against Women Cell, Nanak Pura, under Sections 498A/406/34 of the Indian Penal Code, 1860, 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. Shubhankar Birla, learned counsel, accepts notice on behalf of respondent No. 2.

3. The petitioners are present before this Court and have been duly identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is also present in Court 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. Petitioner No. 1 was, at the relevant time, the husband of respondent No. 2, and petitioner No. 2 is the father of petitioner No. 1.

6. Petitioner No. 1 and respondent No. 2 were married on 02.06.2013 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 13.12.2024.

7. Respondent No. 2 lodged a complaint before the Crime Against Women Cell, pursuant to which the impugned FIR came to be registered against her husband and her parents-in-law.

8. Upon completion of the investigation, the chargesheet has been filed in the matter. I am further informed that charges have not been framed against the mother-in-law.

9. During the pendency of the proceedings, the parties amicably resolved all their disputes under the aegis of the Delhi Mediation Centre, Dwarka Courts, Delhi, by way of a settlement agreement dated 19.12.2025, whereby it was agreed that petitioner No. 1 shall pay a total sum of Rs. 2,00,000/- to respondent No. 2 towards full and final settlement of all her claims, including maintenance (past, present and



future) as well as permanent alimony. The said amount is to be paid in three instalments, namely, Rs. 1,00,000/- at the time of recording of the first motion, Rs. 50,000/- at the time of recording of the second motion, and the remaining Rs. 50,000/- at the time of quashing of the FIR before this Court.

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 settlement arrived at between the parties, their marriage stands dissolved by a decree of divorce by mutual consent *vide* order dated 06.04.2026 passed by the learned Family Court in HMA No. 288/2026.

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 by the Supreme Court that, in appropriate cases, 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, including in respect of non-compoundable offences, where the parties have arrived at a settlement and no overriding public interest is likely to be 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

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

15. In the present case, the proceedings emanate from a matrimonial dispute between the parties, and the marriage itself already stands



dissolved by a decree of divorce. Applying the principles laid down by the Supreme Court, and considering that respondent No. 2 has categorically affirmed before this Court that the settlement has been entered into voluntarily and without any coercion, this Court is of the view that the possibility of conviction is remote. In such circumstances, permitting the criminal proceedings to continue would serve no useful purpose and would only result in unnecessary consumption of judicial time and public resources.

16. In terms of the settlement, a sum of Rs. 1,00,000/- was payable to respondent No. 2, out of which an amount of Rs. 50,000/- has already been received by her. The remaining balance of Rs. 50,000/- has been handed over to respondent No. 2 in Court today. In view of the aforesaid, there remains no impediment to grant the relief sought in the present petition.

17. In view of the foregoing, the present petition is allowed, and FIR No. 0020/2017 dated 23.02.2017, registered at Police Station Crime Against Women Cell, Nanak Pura, under Sections 498A/406/34 of the IPC, alongwith all consequential proceedings arising therefrom, stands 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

JULY 1, 2026

'pv'/SD/

⁴ Emphasis supplied.