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

\# **CNR No. DLHC010300782025**

\+ CRL.M.C. 3407/2025 & CRL.M.A. 15032/2025

DEEPAK VERMA & ORS. .....Petitioners

Through: Mr. Hemant Shukla and Ms. Nidhi Shukla Jakhar, Advs. along with Petitioner No. 1 in person and Petitioner Nos. 2 and 3 through VC

versus

STATE OF NCT OF DELHI AND ANR. .....Respondents

Through: Mr. Naresh Kumar Chahar, APP for the State with SI Gaurav Kumar, P.S. Rani Bagh

Respondent No. 2 through VC

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 29.10.2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [‘BNSS’] seeking the following relief: -

> “quash the F.I.R. bearing No. 1359/2022 of P.S. Ram Bagh, New Delhi, U/S 406/498-A/506/34 IPC registered against all the Petitioners on the complaint of the Respondent No.2 and consequential proceedings thereof pending against all the Petitioners in the Court of Ms. Preeti Rajoria, Ld. Judicial Magistrate First Class (Mahila court-02), North-West Rohini District Court, New Delhi;”

2. Petitioner No. 1 is physically present in Court, and Petitioner Nos. 2 and 3 have joined the proceedings through video conferencing link [‘VC’].

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They are identified by the learned counsel and the Investigating Officer ['IO'].

3. Respondent No. 2 has joined the proceedings through VC and is identified by the IO.

4. Mr. Hemant Shukla, learned counsel for the Petitioners, state that the marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 13.12.2021, as per Hindu rites and ceremonies. No children were born out of the wedlock. He states that Petitioner Nos. 2 and 3 are the relatives of Petitioner No. 1.

4.1. He states that owing to temperamental differences, Petitioner No.1 and Respondent No. 2 started to reside separately from December, 2022, pursuant to which the subject FIR was registered on 23.12.2022. Respondent No. 2 also filed other legal proceedings for maintenance and alleging domestic violence.

4.2. He states that during the pendency of the legal proceedings, the parties have arrived at a mutual settlement *vide* Memorandum of Understanding dated 19.10.2024 ['MoU']. He submits that, in fact, pursuant to the MoU the parties have dissolved their marriage by a decree of mutual consent granted by the Competent Court *vide* decree dated 24.01.2025.

4.3. He states that, in terms of the MoU, a total amount of Rs. 3,50,000/-is due and payable to Respondent No. 2 in full and final settlement of all her claims towards alimony. He states that the entire amount stands paid over to Respondent No. 2 through bank transfers.

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4.4. He submits that in these facts, the relief for quashing of FIR and the criminal proceedings may be allowed.

5. Mr. Naresh Kumar Chahar, learned APP, appearing on behalf of the State, submits that the charge-sheet has been filed, and the matter is at the stage of arguments on charge. He submits that, however, the State has no objection, keeping in view the fact that the disputes arise from a matrimonial dispute and have been amicably resolved between the parties.

6. This Court has heard the parties and perused the record.

7. This Court has interacted with Respondent No. 2. She confirms the submissions of the learned counsel for the Petitioners. She confirms receipt of Rs. 3,50,000/-. She also confirms having executed the affidavit dated 30.04.2025 recording her no objection to the quashing of the petition filed at page no. 28 of the paper-book. She states that she has in fact remarried now.

8. With respect to offences that are non-compoundable in nature, the Supreme Court has held in **Gian Singh v. State of Punjab**[1] that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant. The Supreme Court observed that where the dispute is predominantly private in nature and does not involve any overriding societal or public interest, quashing the proceedings would serve the ends of justice and prevent the abuse of the process of law. The quashing of criminal

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proceedings arising from matrimonial discord is especially illustrated in the said judgment. Similar principles were reiterated in **Narinder Singh & Ors. v. State of Punjab**[2], wherein the Supreme Court held that, while exercising such jurisdiction, the High Court is required to be guided by the considerations of securing the ends of justice and preventing abuse of the process of any Court.

9. In the present case, the criminal proceedings arise out of a matrimonial discord between the parties, which marriage has since been dissolved by a decree of divorce by mutual consent. Respondent No. 2 has also appeared before this Court and unequivocally affirmed that the MoU was entered into voluntarily, without any coercion or undue influence. In view of the settlement between the parties, this Court is satisfied that this is a fit case for quashing in the interest of justice. There is no overriding public interest in continuing with the criminal proceedings. The quietus to the criminal proceedings will enable the parties to move on with their lives. Therefore, it is a classic case of a criminal case with a predominant element of civil dispute, and this Court is of the considered opinion that it is a fit case to exercise its discretionary jurisdiction under Section 528 of the BNSS in the interest of justice.

10. Having regard to the principles laid down by the Supreme Court, this Court is of the view that permitting the prosecution to continue would serve no useful purpose and would merely result in an unnecessary expenditure of judicial time and public resources.

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[1] (2012) 10 SCC 303
[2] (2014) 6 SCC 466 [Paragraph No. 29]

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11. In view of the aforesaid submissions by the parties, considering the fact that the terms of the MoU stand fully satisfied, there remains no impediment to the grant of the relief sought.

12. Therefore, FIR No. 1359/2022 dated 23.12.2022, registered at Police Station Rani Bagh, Delhi, charge-sheet and all consequential proceedings arising therefrom, is hereby quashed.

13. The parties shall remain bound by the terms of the MoU.

14. The Petitioners and IO are directed to file this order before the trial Court on or before the next date of hearing for its information.

15. The petition is allowed. Pending application, if any, is disposed of as infructuous.

16. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 29, 2026/mt/aa

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