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

\# **CNR No. DLHC010304242025**

\+ CRL.M.C. 3456/2025

PRAVEEN KUMAR SHARMA @ PARVEEN KUMAR SHARMA & ORS. .....Petitioners

Through: Mr. Vijay Kr. Sharma, Advocate along with Petitioners
P-1 in person
P-2 to P-6 (Through VC)

versus

THE STATE GOVT OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with SI Pankaj Kumar, PS: Jyoti Nagar

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

O R D E R

% 28.10.2026

1. The present petition has been filed under Section 528 of the BNSS, 2023, seeking quashing of FIR No. 0354/2018, registered at Police Station Jyoti Nagar, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ['IPC'] and Sections 3 and 4 of the Dowry Prohibition Act, 1961, along with all consequential proceedings pending before the learned Chief Judicial Magistrate, North-East District, Karkardooma Courts, Delhi.

2. Petitioner no. 1 is physically present in Court. Petitioner nos. 2, 3, 4, 5 and 6 have joined the proceedings through Video Conferencing link. Petitioners are represented by the counsel and are identified by the

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Investigating Officer ['IO'].

3. Respondent no. 2 is present in Court along with her counsel and is identified by the IO.

4. Learned counsel for the petitioners states that the petitioner no. 1 married respondent no. 2 on 04.02.2013 according to Hindu rites, and a daughter was born from the wedlock, who is a minor. He submits that owing to matrimonial differences, the parties started living separately from 20.05.2019, resulting in criminal and matrimonial disputes.

4.1 He states that during the pendency of the proceedings, the parties amicably settled all their disputes *vide* settlement dated 22.04.2025 and agreed to dissolve their marriage by mutual consent for a total settlement amount of Rs. 17,00,000/-, towards full and final settlement of all claims relating to the claims of respondent no.2.

4.2 He states that the marriage already stands dissolved by a decree of divorce by mutual consent dated 09.07.2024 passed by the Family Court, Shahdara, Karkardooma Courts, Delhi. He states that out of the settlement amount, Rs. 5,00,000/- was paid at the first motion stage, another Rs. 5,00,000/- was deposited towards an FDR in the name of the minor daughter at the second motion stage, and the remaining Rs. 7,00,000/- has been paid today to the respondent no. 2 through demand draft.

4.3 He submits that in terms of the order dated 16.09.2025 passed in these proceedings, an additional amount of Rs. 28,000/- has been transferred to respondent no. 2 today through PhonePe App.

4.4 He submits that respondent no. 2 has furnished her no-objection

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affidavit to the present petition. He submits that therefore, petitioners seek quashing of the FIR and all consequential proceedings and continuation of the criminal proceedings would serve no useful purpose.

5. Learned APP submits that charge-sheet has been filed and the matter is at the stage of arguments on charge before the Trial Court. She submits that the State has no objection to the present quashing in view of the nature of the dispute and the mutual settlement.

6. This Court has heard the learned counsel for the parties and has perused the record.

7. This Court has interacted with respondent no. 2. She confirms the aforesaid submissions of the learned counsel for the petitioners. She confirms that she has furnished an affidavit of no-objection dated 19.07.2026. She confirms the receipt of the amount of Rs. 10 lakhs, demand draft of Rs. 7 lakhs and amount of Rs. 28,000/- through PhonePe App.

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

[1] (2012) 10 SCC 303

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and prevent the abuse of the process of law. The quashing of criminal 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 settlement 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 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 to meet the ends 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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[2] (2014) 6 SCC 466 [Paragraph No. 29]

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11. In view of the above, the FIR No. 0354/2018, under sections 498A/406/34 of IPC and Section 3 & 4 Dowry Prohibition Act, 1961 registered at Police Station Jyoti Nagar, Delhi and its subsequent criminal proceedings pending before the Chief Judicial Magistrate, District North-East, Karkardooma Courts, Delhi and proceedings emanating therefrom are quashed.

12. It is made clear that nothing herein shall preclude the minor child from agitating her legal rights *qua* either parent in accordance with law.

13. Parties inter-se shall abide by the terms of settlement.

14. Accordingly, the petition is disposed of.

15. Pending application is disposed of.

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 order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 28, 2026/rhc/AM

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