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

\# **CNR No. DLHC010385102026**

\+ CRL.M.C. 6073/2026

PARVEEN KUMAR KAIN AND OTHERS .....Petitioners

Through: Mr. Ashok Kumar Tiwari, Ms. Pratibha and Ms. Archana, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Tarang Srivastav, APP for State with Mr. Abhay Sahni, Advocate.
S.I. Pooja, P.S. Anand Vihar.
Mohd. Shahdab Abbasi, Advocate for R-3.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 29.10.2026

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] seeks quashing of FIR No. 129/2019 dated 10th April, 2019, registered at P.S. Mansarovar Park under Sections 498A/509/323/195A/34 of the Indian Penal Code, 1860,[2] and all consequential proceedings emanating therefrom.

2. Petitioner No. 1 is the husband, while Petitioners No. 2 to 6 are the in-

[1] "BNSS"

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laws of the deceased complainant, Jyoti. The marriage between Petitioner No. 1 and the complainant was solemnized on 25th February, 2018, as per Hindu rites and ceremonies. No child was born from this marriage. Owing to matrimonial discord and temperamental differences, the relationship between the parties deteriorated, and they eventually started residing separately.

3. Subsequently, the deceased complainant lodged a complaint against the Petitioners, alleging that she had been subjected to cruelty, which culminated in the registration of the subject FIR. However, Jyoti passed away on 05th July, 2023.

4. Subsequently, the Petitioners and the family members of the deceased complainant amicably resolved their disputes before the Delhi Mediation Centre, Karkardooma Courts, Delhi. Pursuant thereto, a Settlement Agreement dated 27th January, 2026, was executed by the brother of the deceased complainant, wherein he expressed his willingness to bring the dispute to an end and stated that he did not wish to pursue the present proceedings. It is specifically recorded that the settlement was arrived at without any monetary compensation being offered or accepted by the family members of the deceased complainant.

5. By order dated 19th August, 2026, the mother of the deceased complainant, Sharda Devi, being her legal representative, was also impleaded as a party to the present proceedings. The amended memo of parties has been filed on record. Today, both the brother and mother of the deceased complainant are present before the Court and have been duly identified by the Investigating Officer. They confirm the terms of the

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[2] "IPC"

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settlement and state that they do not wish to pursue the present proceedings any further. They further affirm that they have no subsisting grievance against the Petitioners and do not seek any monetary compensation from them.

6. The Court has considered the aforesaid facts and submissions. Notably, the offences under Sections 498A and 195A IPC are non-compoundable, whereas the offence under Section 323 IPC is compoundable by the person to whom hurt is caused. The offence under Section 509 IPC is compoundable by the woman against whom the offence was committed, with the permission of the Court.

7. It is well settled that the power of the High Court under Section 482 CrPC [corresponding to Section 528 BNSS] to quash criminal proceedings is distinct from the power of compounding under Section 320 CrPC. This power may be exercised even in cases involving non-compoundable offences where the parties have settled the matter. However, the power is to be exercised sparingly and with caution, having regard to the nature and gravity of the offence and the circumstances of the case. In ***Narinder Singh & Ors. v. State of Punjab & Anr.***[3], the Supreme Court held that criminal cases having an overwhelmingly and predominantly civil character, particularly those arising out of matrimonial relationships or family disputes, stand on a distinct footing where the parties have resolved their entire disputes. The Court further held that, in such cases, the High Court may quash the proceedings where, having regard to the settlement, the possibility of conviction is remote and bleak, and continuation of the criminal proceedings would serve no useful purpose. These principles have similarly

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been reiterated in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur & Ors. v. State of Gujarat & Anr***[4]**.**

8. In the facts of the present case, the dispute arises out of a matrimonial relationship between Petitioner No. 1 and the deceased complainant. The complainant has since passed away, and her immediate family members, including her mother and brother, have amicably resolved the dispute with the Petitioners. Both have appeared before this Court, confirmed the settlement and unequivocally stated that they do not wish to pursue the present proceedings or seek any monetary compensation from the Petitioners. In these circumstances, this Court is of the opinion that continuation of the criminal proceedings would serve no useful purpose and would amount to an abuse of the process of the Court. The present case, therefore, warrants exercise of the inherent jurisdiction of this Court under Section 528 BNSS.

9. Accordingly, FIR No. 129/2019 dated 10th April, 2019, registered at P.S. Mansarovar Park and all proceedings emanating therefrom, are hereby quashed.

10. The parties shall abide by the terms of settlement.

11. The present petition is disposed of in the aforesaid terms. Pending application(s), if any, shall also stand disposed of.

SANJEEV NARULA, J

OCTOBER 29, 2026/*hc*

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[3] (2014) 6 SCC 466.
[4] (2017) 9 SCC 641.

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