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

\# **CNR No. DLHC010477602026**

\+ CRL.M.C. 7430/2026 CRL.M.A. 31115/2026

VIJAY & ORS. .....Petitioners

Through: Mr. Rishabh Goyal, Ms. Priyanka Goyal, Mr. Manoj Kumar Goyal, Mr. Naveen Kumar, Mr. Harsh Dahiya and Ms. Aditi Jindal, Advs.
P-1 to 4 (in person)

versus

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

Through: Mr. Sanjeev Sabharwal, APP for State with Mr. Rishabh Singh, Adv.
ASI Narender Singh

Ms. Seema Kumari, Adv. along with complainant/R-2 (in person)

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

O R D E R

% 05.10.2026

CRL.M.A. 31115/2026 (for exemption)

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.C. 7430/2026

3. The present petition has been filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 [‘BNSS’] seeking quashing of the FIR No. 0518/2024 registered under Sections 498-A/34 of the Indian Penal Code,

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1860 [‘IPC’] at Police Station Raj Park, Delhi [‘subject FIR’] and subsequent proceedings arising therefrom.

4. Issue notice. Mr. Sanjeev Sabharwal, learned APP appearing for the State, accepts notice.

5. Ms. Seema Kumari, learned counsel for the Respondent No. 2, appears on advance service and accepts notice.

6. Petitioners and Respondent No.2 are physically present in Court and are identified by the Investigating Officer (IO) and their respective counsels.

7. Petitioner No. 1 and Respondent No. 2 were married on 02.12.2022, as per Hindu rites and ceremonies. No child was born from the wedlock.

8. Due to matrimonial discord and temperamental differences between the parties started living separately, pursuant to which at the instance of Respondent No. 2, the subject FIR was registered. However, during the pendency of the proceedings, the parties amicably resolved all their disputes by way of a Settlement dated 18.07.2025, to put a quietus to the dispute.

9. Pursuant to the aforesaid settlement, the marriage between the Petitioner No. 1 and Respondent No. 2 stands dissolved by a decree of divorce by mutual consent, *vide* judgment dated 03.07.2026 passed by the Family Court in HMA No. 1325/2026.

10. The Settlement contemplates payment of Rs. 2,00,000/- to Respondent No. 2 towards full and final settlement of disputes. The said amount was agreed to be paid in 3 instalments, namely, Rs.80,000/- at the

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time of recording the statements in the first motion petition under Section 13(B)(1) of the Hindu Marriage Act, 1955 ['HMA']; Rs. 80,000/- at the time of recording of statements in the second motion petition under Section 13(B)(2) of the HMA; and the remaining Rs. 40,000/- at the time of quashing of the present FIR.

11. Learned counsel for the Petitioners states that a sum of Rs. 1,60,000/- was duly paid through demand drafts before the learned Family Court. He submits that the balance amount of Rs. 40,000/- is being paid to Respondent No. 2 today through a demand draft dated 12.08.2026, drawn on Punjab National Bank bearing no. 012464.

12. This Court has interacted with Respondent No. 2. She confirms that she has executed the affidavit dated 17.09.2026 recording her 'no objection' to the quashing of the subject FIR, which is filed as Annexure D at running page 40 along with the present petition.

13. Learned APP states, on instructions from the IO, that no chargesheet has been filed. He submits that the State has no objection to the relief sought in the petition.

14. In light of the aforesaid, the parties seek quashing of the impugned FIR and all consequential proceedings emanating therefrom.

15. This Court has heard the learned counsel for the parties.

16. The Supreme Court has clearly held 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

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proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected. Reference in this connection can be made to the judgment in **Gian Singh v. State of Punjab and Anr.**[1], which 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, 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."
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> (Emphasis supplied)

[1] (2012) 10 SCC 303

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17. Further, in **Narinder Singh & Ors. v. State of Punjab &Anr**.[2], 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 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.
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> 29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of

[2] (2014) 6 SCC 466

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> 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."
>
> (Emphasis supplied)

18. In the present case, the proceedings emanate from a matrimonial dispute between the parties, which marriage has already been dissolved by a decree of divorce by mutual consent. The Respondent No. 2 has also categorically affirmed the voluntary nature of the Settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction, and their continuation would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily. The disputes are personal in nature and thus, keeping in view the law settled by the Supreme Court in the aforesaid judgments, this Court is inclined to accept the prayer of the Petitioner and Respondent No. 2 and exercise its discretionary jurisdiction under Section 528 of the BNSS, 2023.

19. The Settlement contemplates payment of a sum of Rs. 2,00,000/- to Respondent No. 2, out of which Rs. 1,60,000/- has already been received by her. The Demand Draft dated 12.08.2026 bearing no. 012464 for the balance amount, i.e., Rs. 40,000/-, drawn on Punjab National Bank, has been handed over to Respondent No. 2 in Court today. There is, therefore, no impediment in granting the relief sought.

20. Having regard to the above discussion, the petition is allowed, and the

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FIR No. 0518/2024 registered under Sections 498A/34 IPC at Police Station Raj Park, Delhi and proceedings emanating therefrom are quashed.

21. The parties shall remain bound by the terms of the settlement.

22. Accordingly, the petition is disposed of. The pending application is disposed of.

23. 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 upon by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 5, 2026/msh/aj

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