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

\# **CNR No. DLHC010481602026**

\+ CRL.M.C. 7496/2026

SH KULDEEP KUMAR AND ORS. .....Petitioners

Through: Ms. Ravinder Kaur, Adv. with Petitioners in person
M: 9971697756
Email: ravinderkauradv33@gmail.com
Mr. Amardeep Indora, Adv.

versus

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

Through: Mr. B.P. Yadav and Mr. B.L. Khaneja, Advs. with respondent in person
M: 8076779728
SI Shikha, PS Keshav Puram
Mr. Nawal Kishore Jha, APP with Ms. Kalpana Jha and Mr. Siddharth Shankar Jha, Advs.
M: 9810442918
Email: nawalkishorejha@live.com

**CORAM:**
**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**O R D E R**

**% 06.10.2026**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), corresponding to Section 482 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First Information Report ("FIR") being *FIR No. 839/2021* dated 25th

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December, 2021, registered at Police Station ("PS") Keshav Puram, North West District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ("IPC"), on the ground of settlement.

2. A Chargesheet dated 15th September, 2024, has been filed by the concerned Investigating Officer ("IO") in respect of the aforesaid FIR before the Judicial Magistrate First Class (Mahila Court)-02, North West District, Rohini Courts, whereby, all the petitioners have been charged under Sections 498A/406/377/509/323/506/34 of the IPC.

3. Issue notice. Notice is accepted by learned Additional Public Prosecutor ("APP") appearing for the State, i.e., respondent no. 1, as well as by learned counsel appearing for respondent no. 2.

4. The petitioners and respondent no. 2 are present before this Court, and are duly identified by their respective counsels as well as the IO, who is also present before this Court.

5. The captioned petition is taken up for disposal with the consent of the parties.

6. As per the material on record, the relevant facts for adjudication of the captioned petition are as under:

6.1. The marriage between petitioner no. 1 and respondent no. 2 was solemnized on 16th February, 2021, however, due to temperamental differences, they started living separately from 20th March, 2021.

6.2. *FIR No. 839/2021* came to be registered at the instance of respondent no. 2 against the family members of petitioner no. 1, namely, petitioner no. 2 is her mother-in-law; petitioner no. 3 is her sister-in-law; petitioner no. 4 is her brother-in-law; and petitioner no. 5 is the wife of her father-in-law's brother.

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6.3. Respondent no. 2 has alleged, *inter alia*, that petitioner no. 1 began beating her from the second day of their marriage.

6.4. She further alleges that despite complaining about petitioner no. 1's behaviour to the remaining petitioners, they failed to intervene. Instead, they also began beating, harassing, and threatening her, while raising demands for dowry.

7. The petitioners and respondent no. 2 jointly submit that they have resolved all their disputes, as petitioner no. 1 and respondent no. 2 have executed a Settlement dated 27th April, 2024, before the Counselling Cell, upon being referred by the Principal Judge, Family Court, North West, Rohini Courts, Delhi, in *Mt 399/2021*.

8. This Court is informed that as per the terms of the Settlement, petitioner no. 1 agreed to pay a sum of Rs. 12,50,000/- to respondent no. 2, as full and final settlement towards all her claims towards maintenance and marriage expenses.

9. The aforesaid amount was payable to respondent no. 2 in the three instalments provided as under:

(i) Rs. 6,00,000/- at the time of recording the statement of the parties for the first motion petition for divorce;

(ii) Rs. 4,00,000/- at the time of recording the statement of the parties for the second motion petition for divorce;

(iii) Rs. 2,50,000/- at the time of quashing of *FIR No. 839/2021*;

10. This Court is further informed that a sum of Rs. 10,00,000/- has already been paid by petitioner no. 1 to respondent no. 2.

11. The balance sum of Rs. 2,50,000/- has been paid to respondent no. 2, before this Court, and the same has been duly accepted by her.

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12. Upon interaction with respondent no. 2, she submits that she has settled the matter and does not wish to pursue the same any further.

13. This Court is also apprised that the marriage between petitioner no. 1 and respondent no. 2 already stands dissolved, as they have obtained a decree of divorce by mutual consent dated 13th August, 2026, passed by the Principal Judge, Family Court, North West District, Rohini Courts, Delhi, in *HMA 1561/2026.*

14. In light of the aforesaid, the parties seek quashing of the FIR in question.

15. Learned APP for State submits that in view of the settlement between the parties, and considering the fact that the present FIR was in relation to a a family dispute, he has no serious objection to the present petition.

16. Having heard the learned counsels appearing for the parties, this Court notes that the parties have arrived at a settlement in respect of the present matter.

17. The Supreme Court has held that under Section 528 of the BNSS, High Courts may quash criminal proceedings, even with respect to non-compoundable offences, if the concerned parties have arrived at a compromise or settlement, and particularly when no overarching public interest is adversely affected by quashing the same.

18. In ***Jitendra Raghuvanshi and Others Versus Babita Raghuvanshi and Another, (2013) 4 SCC 58***, the Supreme Court has held that the High Courts are empowered to quash an FIR in cases pertaining to matrimonial disputes in order to foster genuine settlements, even when the offences involved are non-compoundable in nature. The relevant portion of the said judgment reads as under:

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*"xxx xxx xxx*

***14. <u>The inherent powers of the High Court under Section 482 of the Code are wide and unfettered. In B.S. Joshi [(2003) 4 SCC 675 : 2003 SCC (Cri) 848] , this Court has upheld the powers of the High Court under Section 482 to quash criminal proceedings where dispute is of a private nature and a compromise is entered into between the parties who are willing to settle their differences amicably.</u>*** *We are satisfied that the said decision is directly applicable to the case on hand and the High Court ought to have quashed the criminal proceedings by accepting the settlement arrived at.*

***15. <u>In our view, it is the duty of the courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase. Even if the offences are non-compoundable, if they relate to matrimonial disputes and the Court is satisfied that the parties have settled the same amicably and without any pressure, we hold that for the purpose of securing ends of justice, Section 320 of the Code would not be a bar to the exercise of power of quashing of FIR, complaint or the subsequent criminal proceedings.</u>***

*xxx xxx xxx"*

*(Emphasis Supplied)*

19. Accordingly, considering the submission made before this Court, *FIR No. 839/2021* dated 25th December, 2021, registered at PS Keshav Puram, North West District, Delhi, along with the consequential proceedings arising therefrom, is hereby quashed.

20. However, considering the facts and circumstances of the present case, particularly the fact that the said FIR is of the year 2021, it is directed that the present order of quashing the FIR is subject to deposit of a sum of Rs. 30,000/- by the petitioners with the Delhi High Court Legal Services Committee ("DHCLSC"). The account details of DHCLSC are provided as under:

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*Account Holder Name: Delhi High Court Legal Services Committee*
*Account No.: 15530110008386*
*IFSC Code: UCBA0001553*
*Branch: Delhi High Court Branch, Sher Shah Suri Road*

21. Let the aforesaid amount be deposited, within a period of two weeks, from today.

22. Proof of deposit of the said cost shall be filed before this Court, as well as submitted to the concerned IO.

23. With the aforesaid directions, the present petition is accordingly disposed of.

**MINI PUSHKARNA, J**

**OCTOBER 6, 2026/KR**

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