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

\# **CNR No. DLHC010490442026**

\+ CRL.M.C. 7657/2026

GURMEET SINGH & ORS. .....Petitioners

Through: Mr. Raj Kumar and Mr. Arun Kumar Tyagi, Advs. with petitioner in person

versus

STATE OF GNCT OF DELHI THROUGH SHO PS NEW ASHOK NAGAR DELHI & ANR. .....Respondents

Through: Mr. Sunil Kumar Gautam, APP
M: 9871349009
Mr. Ved Prakash, Adv. with R-2 in person
SI K.P. Singh, PS New Ashok Nagar

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 27.10.2026

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. 435/2022* dated 07th June, 2022, registered at Police Station ("PS") New Ashok Nagar, East District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ("IPC"), on the ground of settlement.

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

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by learned counsel appearing for respondent no. 2.

3. The petitioners and respondent no. 2 are present before this Court, and are duly identified by their respective counsels as well as the Investigating Officer ("IO"), who is also present before this Court.

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

5. As per the material on record, the following facts are relevant for adjudication of the captioned petition:

5.1. The marriage between petitioner no. 1 and respondent no. 2 was solemnized on 27th November, 2020, and a female child was born out of the wedlock on 22nd October, 2021.

5.2. Due to matrimonial discord, petitioner no. 1 and respondent no. 2 started living separately from 26th April, 2021.

5.3. *FIR No. 435/2022* came to be registered pursuant to a written complaint submitted by respondent no. 2 to the Crime Against Women ("CAW") Cell, East District, Patparganj, Delhi, against her husband, i.e., petitioner no. 1, and his family members, namely petitioner no. 2 is her father-in-law; petitioner no. 3 is her mother-in-law; and petitioner nos. 4 and 5 are her sisters-in-law.

5.4. Respondent no. 2 has alleged, *inter alia*, that after she began residing at her matrimonial home, the petitioners abused her, threatened to kill her and subjected her to physical and mental harassment in connection with unlawful demands for dowry.

6. Learned counsels appearing for the petitioners and respondent no. 2 jointly submit that they have already settled the matter, as petitioner no. 1 and respondent no. 2 have executed a Settlement Agreement dated 17th February, 2026.

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7. This Court is informed that in terms of the said Settlement Agreement, a sum of Rs. 1,30,000/- is payable by petitioner no. 1 to respondent no. 2, and the entire amount, except for the balance sum of Rs. 20,000/-, has already been paid.

8. Today, Rs. 20,000/- has been handed over to respondent no. 2 in cash before this Court, and the same has been duly accepted by her.

9. This Court has interacted with respondent no. 2, who submits that she has entered into the Settlement Agreement of her own volition and without any coercion, and that she does not wish to pursue the present matter any further.

10. 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 Family Court, East District, Karkardooma Courts, Delhi, in *HMA 829/2026.*

11. In light of the aforesaid, the petitioners seek quashing of the present FIR.

12. Learned APP appearing for the State submits that in view of the facts and circumstances of the present case, the State has no serious objection to the present petition.

13. It is well settled that High Courts may exercise their inherent powers under Section 528 of the BNSS to 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.

14. In ***Jitendra Raghuvanshi and Others Versus Babita Raghuvanshi and Another, (2013) 4 SCC 58***, the Supreme Court has held that the High Courts

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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:

> *"xxx xxx xxx*
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> ***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)*

15. Having heard learned counsels appearing for the parties, this Court notes that the petitioners and respondent no. 2 have resolved their dispute by arriving at a settlement.

16. This Court also notes that petitioner no. 1 and respondent no. 2 have already obtained a divorce by mutual consent on 06th May, 2026. Further, their minor girl child is in the custody of her mother, i.e., respondent no. 2.

17. Accordingly, it is clarified that the rights of the minor girl child shall

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not be affected in any manner merely on account of the settlement between the parties and shall remain protected.

18. Considering the facts and circumstances of the present case, *FIR No. 435/2022* dated 07th June, 2022, registered at PS New Ashok Nagar, East District, Delhi, under Sections 498A/406/34 of the IPC, and all consequential proceedings arising therefrom, are hereby quashed.

19. The present petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

OCTOBER 27, 2026/KR

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