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

\# **CNR No. DLHC010510352026**

\+ CRL.M.C. 7966/2026

PARVEEN KUMAR & ANR. .....Petitioners

Through: Mr. Vinay Shankar, Advocate along with Petitioners

versus

STATE OF DELHI & ANR. .....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with SI Akanksha, PS: KNK Marg
Ms. Nikita Dahiya, Advocate for R-2 along with R-2 in person

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

O R D E R

% 27.10.2026

1. The present petition has been filed under Sections 528 and 529 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ['BNSS'] seeking quashing of the FIR No. 349/2022 dated 06.06.2022 ['subject FIR'] registered at Police Station K.N. Katju Marg for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860 ['IPC'] and Section 4 of the Dowry Prohibition Act, 1961, along with the chargesheet and all proceedings emanating therefrom on account of the amicable settlement between the parties.

2. Issue Notice. Notice has been accepted by Mr. Sanjeev Sabharwal, learned Additional Public Prosecutor ['APP'] and Ms. Nikita Dahiya, learned counsel for the Respondent No. 2.

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3. Petitioner no. 1 and Petitioner no. 2 are physically present in Court and are represented by the counsel and identified by the Investigating Officer ('I.O.').

4. Respondent no. 2 is physically present in Court and represented by the learned counsel and identified by the I.O.

5. It is stated that on 29.01.2019 Petitioner no. 1 and Respondent No. 2 solemnized their marriage. However, no child was born out of the said wedlock. Owing to temperamental differences and matrimonial discord the parties started living separately.

5.1 It is stated that the subject FIR was registered at the instance of Respondent No. 2 on 06.06.2022 against the Petitioners. It is stated that chargesheet has been filed and the matter is pending before the Ld. JMFC Court.

5.2 It is stated that the parties have amicably settled all their disputes through mediation and have executed a Settlement Agreement dated 27.09.2025 ['Settlement Agreement'] before the Mediation Centre Tis Hazari Courts.

5.3 It is stated that the marriage between the Petitioner No. 1 and Respondent No. 2 stands dissolved by a decree of divorce by mutual consent, granted *vide* decree dated 16.05.2026 by the ld. Family Court.

6. Mr. Vinay Shankar, learned counsel for the Petitioners state that the Petitioner No. 1 has agreed to pay a total sum of Rs 26,00,000/- to the Respondent No. 2 towards full and final settlement of all her claims

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including Istridhan, maintenance (present, past and future) and permanent alimony.

6.1 He states that Petitioner No. 1 has already paid the first installment of Rs. 9,00,000/- at the time of recording of statement of parties in the 1st motion under Section 13B (1) of the Hindu Marriage Act, 1955 ['HMA'] petition and the second installment of Rs. 9,00,000/- at the time of second motion under Section 13B (2) HMA.

6.2 He states that the remaining balance of Rs. 8,00,000/- has been paid to the Respondent No. 2 today through demand draft No. 500760, dated 01.10.2026, drawn on ICICI bank and a photocopy of the said demand draft has been handed over to the Court.

7. Learned counsel for the parties submit that the Settlement Agreement was entered voluntarily by the parties, of their own free will, and without any coercion, undue influence or pressure.

8. Learned APP states that the chargesheet has been filed however, charges have not been framed. He states that the State has no objection to the quashing of the subject FIR in view of the settlement arrived between the parties and the nature of the dispute.

9. In view of the aforesaid facts and Settlement Agreement, the parties seek quashing of the subject FIR.

10. This Court has heard the learned counsels and the parties and perused the record.

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11. This Court has interacted with Respondent No. 2. She confirms the submissions of the learned counsel for the Petitioners and also confirms the execution of the Settlement Agreement, as well as her affidavit dated 26.09.2026 recording her no objection to the quashing of the subject FIR and criminal proceedings, filed at internal page 21 and 22 of the present petition.

12. The Supreme Court, in **Gian Singh v. State of Punjab**[1] , has held that the inherent jurisdiction of the High Court to quash criminal proceedings on the basis of a settlement may be exercised where such exercise is necessary to secure the ends of justice or to prevent abuse of the process of any Court. The Court has further held that, where the dispute is overwhelmingly and predominantly of a private or civil nature, including disputes arising out of *matrimonial* or family relationships, and the parties have amicably resolved their entire dispute, the High Court may quash the criminal proceedings if the possibility of conviction is remote and bleak and continuation of the proceedings would result in injustice despite the settlement. Similar principles were reiterated in **Narinder Singh & Ors. v. State of Punjab & Anr**.[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.

13. In view of the aforesaid submissions by the parties, considering the fact that the terms of the Settlement Agreement stands fully satisfied, there

[1] (2012) 10 SCC 303, at paragraph no. 58 and 61
[2] (2014) 6 SCC 466, at paragraph no. 29 (29.1 - 29.5)

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remains no impediment to the grant of the relief sought.

14. 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 Agreement 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.

15. 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.

16. Accordingly, the FIR No. 349/2022 dated 06.06.2022 registered at Police Station K.N. Katju Marg for offences under Sections 498A, 406 and 34 IPC and Section 4 of the Dowry Prohibition Act, 1961, along with the chargesheet and all proceedings emanating therefrom, is hereby quashed.

17. The parties shall remain bound by the terms of the Settlement Agreement.

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18. In view of the above, the petition is allowed.

19. Pending applications are disposed of.

20. 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 27, 2026/*rhc/*IB

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