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

\# **CNR No. DLHC010511932026**

\+ CRL.M.C. 8007/2026

AMIT KUMAR & ORS. .....Petitioners

Through: Mr. Vivek Vishal Gautam, Adv.
P-1, 2, 3, 4, 5, 7 and 8 (in person)

versus

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

Through: Ms. Richa Dhawan, APP for the State
SI Parmil, PS Ranhola
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 seeking the following relief:

> "to quash the case FIR No. 678/2018 (U/S 498A/406/34 IPC) registered by the Respondent No. 2 against the Petitioners at P.S. Ranhola, New Delhi;"

2. The petition has been filed seeking quashing of the FIR based on the mutual settlement arrived at between the Petitioners and Respondent No. 2.

3. Issue Notice. Ms. Richa Dhawan, learned APP appearing on behalf of the State, accepts notice.

4. All the Petitioners except Petitioner No. 6 (who is stated to be unwell) are physically present in Court and are represented by counsel and are

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identified by the Investigating Officer (I.O.).

5. Respondent No. 2 is physically present in Court and is identified by the I.O.

6. Learned counsel for the Petitioner states that Petitioner No. 1 and Respondent No. 2 were married on 28.06.2010 according to Hindu rites and ceremonies; however, due to marital discord, they have been separated since 14.07.2015 and thereafter obtained a decree of divorce by mutual consent on 25.09.2019.

6.1. He states that no child was born out of the wedlock and after the grant of the decree of divorce dated 25.09.2019, the parties have lived separately without any contact with each other.

6.2. He states that, however, upon receiving the summons from the trial Court, the Petitioners reached out to Respondent No. 2 for assisting them in having the present criminal proceedings quashed.

6.3. He states that, to record this understanding, the parties entered into the settlement dated 08.10.2026. He submits that the settlement does not provide for any monetary consideration.

6.4. He submits that the matter is listed before the trial Court for arguments on charge.

7. This Court has interacted with Respondent No. 2. She submits that she has remarried and is now settled in Mumbai. She states that after the grant of the divorce decree on 25.09.2019, she has not pursued these

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criminal proceedings. She states that she was advised by her counsel that after the grant of the decree of divorce, there is no other legal proceeding pending or else she would have approached this Court earlier for quashing. She also confirms having executed the affidavit dated 08.10.2026 filed at running page 32 recording her no objection to the relief for quashing of the subject FIR. She submits that no Police Official contacted her after 2019 about the subject FIR, therefore, she was not aware about the filing of the chargesheet.

8. Ms. Richa Dhawan, learned APP for the State, submits that the chargesheet in this matter has been filed on 04.10.2024; however, the IO who filed the chargesheet is not present in Court, and a duty police officer is present in Court.

9. She states that she does not have instructions on the circumstances in which the chargesheet came to be filed in the year 2024. She states that the concerned SHO does not have any information about the mutual settlement between Petitioners and Respondent No. 2.

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

11. With respect to offences that are non-compoundable in nature, the Supreme Court has held in **Gian Singh v. State of Punjab**[1] 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 proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the

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complainant. The Supreme Court observed that where the dispute is predominantly private in nature and does not involve any overriding societal or public interest, quashing the proceedings would serve the ends of justice and prevent the abuse of the process of law. The quashing of criminal proceedings arising from matrimonial discord is especially illustrated in the said judgment. 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.

12. In this case, criminal proceedings arise are connected with matrimonial disputes between the parties, wherein subsequently, the marriage has been dissolved. The disputes are thus private in nature, and there is no overriding public interest involved. The parties have agreed to part ways, and keeping the proceedings alive would only remind them of the bitterness of their past relationship. In view of the fact that the parties have amicably settled the dispute without any coercion or undue influence, this Court is of the view that continuation of the proceedings arising out of the present FIR would serve no useful purpose, besides imposing an unnecessary burden on the State exchequer. This Court is of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS to meet the ends of justice.

13. Therefore, the FIR No. 678/2018 registered at P.S. Ranhola, Delhi for

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[1] (2012) 10 SCC 303
[2] (2014) 6 SCC 466 [Paragraph No. 29]

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offences under Sections 498A/406/34 IPC, along with the chargesheet and all consequential proceedings *qua* all the Petitioners, is hereby quashed.

14. The Petitioners and the IO are directed to file this order before the Trial Court on or before the next date of hearing for information.

15. The petition, therefore, stands allowed.

16. However, before closing this matter, this Court notes with concern the fact that though, Petitioners and Respondent No. 2 had mutually settled the matter in 2019 and Respondent No. 2 did not pursue these criminal proceedings before the police thereafter and was not contacted by any police official, the filing of the chargesheet by the police in 2024 without even contacting the Respondent No.2 i.e., complainant which simple effort would have brought to their attention the settlement between the parties, shows the mechanical manner in which the charge-sheet has been filed. It is apparent that the Police Officer who filed the chargesheet did not contact the complainant before filing the chargesheet.

17. The concerned DCP is directed to seek an explanation from the Police Officer who filed the charge-sheet with respect to the circumstances in which he proceeded to file this charge-sheet, without reaching out to the complainant and without taking note of the fact that the parties having arrived at a settlement and its consequences.

18. Learned APP is directed to bring this order and facts to the attention of the concerned DCP for information and compliance.

19. Let a compliance report be filed before this Court within four (4)

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weeks.

20. The matter is kept pending for this limited purpose.

21. List for compliance on 14.12.2026 at 2:30 P.M.

22. 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/msh/aj

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