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

\# **CNR No. DLHC010512052026**

\+ CRL.M.C. 8010/2026

MUKUL KUMAR AND ORS .....Petitioners

Through: Mr. Arun Singh with Mr. Deepak Yadav, Advocates.
(M): 8860377210
Email: Rao2110deepak@gmail.com
Petitioners in person.

versus

THE STATE (N.C.T OF DELHI) AND ANR .....Respondents

Through: Mr. Nawal Kishore Jha, APP with Mr. Siddharth Shankar Jha and Ms. Kalpana Jha, Advocates for the State.
(M): 9810442918
9968257999
Email: nawalkishorejha@live.com
Mr. Aditya Bhati, Advocate for respondent no. 2.
(M): 8017959151
Email: bhatiaditya03@gmail.com
Respondent no. 2 in person.

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. 163/2025* dated 04th March, 2025, registered at Police Station ("PS") Begum Pur, Rohini, Delhi, under Sections

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498A/406/34 of the Indian Penal Code, 1860 ("IPC"), and the consequential proceedings arising therefrom, 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 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 20th February, 2022, and a female child was born out of the wedlock on 24th November, 2022.

5.2. Following the birth of the female child, petitioner no. 1 and respondent no. 2 began living separately, with respondent no. 2 residing at her parental home.

5.3. *FIR No. 163/2025* came to be registered pursuant to a written complaint submitted by respondent no. 2 to the Crime Against Women ("CAW") Cell, Sector 3, Rohini, Delhi, against her husband, i.e., petitioner no. 1, and his family members, namely petitioner no. 2 is the maternal aunt of her husband; petitioner no. 3 is the son of petitioner no. 2; petitioner no. 4 is the maternal uncle of her husband; petitioner no. 5 is her mother-in-law; and petitioner no. 6 is the grandmother of her husband.

5.4. Respondent no. 2 has alleged, *inter alia*, that during her pregnancy, the

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petitioners subjected her to physical and mental harassment, threatened to kill her and claimed that petitioner no. 1 was not the father of the female child.

6. Learned counsels appearing for the petitioners and respondent no. 2 jointly submit that the parties have now settled the matter, as petitioner no. 1 and respondent no. 2 have executed a Settlement dated 29th January, 2026, before the Counselling Cell, Family Court, South West District, Dwarka, Delhi.

7. As per the terms of the aforesaid Settlement, a total sum of Rs. 13,00,000/- is payable by petitioner no. 1 to respondent no. 2, and certain jewellery is also to be handed over to her.

8. This Court is informed that out of said sum, Rs. 9,00,000/- stands paid to respondent no. 2. Thus, the balance sum of Rs. 4,00,000/- is required to be paid today.

9. Learned counsel appearing for the petitioners has handed over a Demand Draft for a sum of Rs. 4,00,000/- to respondent no. 2, which has been duly accepted by her.

10. This Court is further informed 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 25th May, 2026, passed by the Principal Judge, Family Court, South West District, Dwarka Courts, Delhi, in *HMA 1723/2026*.

11. Upon interaction with respondent no. 2, she submits that she has received the full settlement amount and jewellery, and also confirms that the divorce between her and petitioner no. 1 has taken place.

12. She, thus, submits that she does not wish to pursue the present matter any further.

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

14. Learned APP appearing for the State submits that in view of the compromise between the petitioners and respondent no. 2, the State has no serious objection to the present petition.

15. 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.

16. 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:

> *"xxx xxx xxx*
>
> ***14. 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.*** *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. 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***

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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.

xxx xxx xxx"

(Emphasis Supplied)

17. Having heard learned counsels for the parties, this Court notes that the petitioners and respondent no. 2 have already settled their matter.

18. Pertinently, petitioner no. 1 and respondent no. 2 are already divorced, and respondent no. 2 has confirmed receipt of the full amount in terms of the Settlement dated 29th January, 2026, as well as the jewellery.

19. This Court takes note of the submission that a female child, who is presently about three years of age, was born out of the wedlock and is in the custody of respondent no. 2.

20. Accordingly, it is directed that the Settlement between the parties will, in no manner, disturb or affect the rights of the minor female child, which shall remain protected.

21. Considering the facts and circumstances of the present case and the submissions made before this Court, *FIR No. 163/2025* dated 04th March, 2025, registered at PS Begum Pur, Rohini, Delhi, under Sections 498A/406/34 of the IPC, along with the proceedings pending in connection therewith, is hereby quashed.

22. The present petition is allowed and disposed of, in the aforesaid terms.

MINI PUSHKARNA, J

OCTOBER 27, 2026/c

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