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

\# **CNR No. DLHC010512352026**

\+ CRL.M.C. 8016/2026 & CRL.M.A. 33426/2026

DEEP SHARMA & ANR. .....Petitioners

Through: Ms. Sanya Sharma, Advocate.
(M): 8505865680
Email: advsanya2914@gmail.com
Petitioners in person.

versus

STATE NCT OF DELHI & 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
W/SI Nisha, PS Lal Bahadur.
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. 268/2021* dated 17th June, 2021, registered at Police Station ("PS") Mohan Garden, Dwarka, Delhi, under

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Sections 498A/406/506/34 of the Indian Penal Code, 1860 ("IPC"), and all consequential proceedings arising therefrom, including the Criminal Case being *Cr. Case 3605/2025*, pending before the Judicial Magistrate First Class, Dwarka Courts, South West District, Delhi.

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 respondent no. 2.

3. Petitioner no. 1 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. Petitioner no. 2 is present before this Court through Video Conferencing ("VC") as well, and is duly identified by her counsel and the IO.

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

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

6.1. The marriage between petitioner no. 1 and respondent no. 2 was solemnized on 19th April, 2014, and a male child was born out of the wedlock on 14th December, 2017.

6.2. Due to matrimonial discord, petitioner no. 1 and respondent no. 2 started living separately from 09th January, 2020.

6.3. *FIR No. 268/2021* came to be registered pursuant to a written complaint submitted by respondent no. 2 to the Crime Against Women ("CAW") Cell, Sector 9, Dwarka, Delhi, against her husband, i.e., petitioner no. 1, and his mother, i.e., petitioner no. 2.

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

7. 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 Memorandum of Understanding-cum-Settlement Deed ("Settlement") dated 13th October, 2026.

8. In terms of the aforesaid Settlement, petitioner no. 1 and respondent no. 2 have resolved all their differences, reconciled with each other, and resumed living together as husband and wife.

9. This Court is informed that petitioner no. 1 and respondent no. 2 have a son, who is approximately eight years of age.

10. Further, this Court is informed that petitioner no. 1 is currently residing at the parental home of respondent no. 2, owing to the schooling of the minor child. Subsequently, they shall shift to the parental home of petitioner no. 1, where the parties had previously resided in a joint family setup.

11. Upon interaction with respondent no. 2, she submits that she is now living happily with her husband, i.e., petitioner no. 1, and has resolved all differences with him for the sake of their minor child.

12. This Court has also interacted with petitioner no. 2, namely, Smt. Kamlesh Sharma, who is the mother of petitioner no. 1 and mother-in-law of respondent no. 2.

13. She submits that she has wholeheartedly accepted respondent no. 2, and that neither she nor any other members of the family shall trouble respondent no. 2 in any manner whatsoever.

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

15. Learned APP appearing for the State submits that in view of the submissions made before this Court, the State has no serious objection if the present petition is allowed.

16. 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.

17. 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)

18. In view of the fact that petitioner no. 1 and respondent no. 2 have decided to resume their matrimonial relationship and have already begun living together, continuing the criminal proceedings in respect of the present FIR would be oppressive and prejudicial to the parties.

19. Accordingly, *FIR No. 268/2021* dated 17th June, 2021, registered at PS Mohan Garden, Dwarka, Delhi, under Sections 498A/406/506/34 of the IPC, and all consequential proceedings arising therefrom, are hereby quashed.

20. The present petition, along with the pending application, is disposed of, in the aforementioned terms.

MINI PUSHKARNA, J

OCTOBER 27, 2026
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