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

\# **CNR No. DLHC010516622026**

\+ CRL.M.C. 8066/2026

KAMAL JEET SINGH & ORS. .....Petitioners

Through: Mr. P C Jha, Mr. Ravi Joshi, Mr. Anam Jha, Advs. along with the petitioners

versus

STATE OF NCT OF DELHI THROUGH SHO & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP with SI Monika, P.S. Mandawali

Mr. Sachet Sharma, Mr. Tushar Kaushik, Advs for R-2

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 28.10.2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, [‘BNSS’] seeking quashing of FIR No. 839/2024 dated 26.12.2024 [‘subject F.I.R’] registered at Police Station [‘PS’]: Mandawli Fazalpur for offences under Sections 498A, 406, and 34 of the Indian Penal Code, 1860 [‘IPC’] and all consequential proceedings emanating therefrom, on the ground that the parties have amicably resolved their disputes.

2. Issue Notice. Notice has been accepted by Mr. Sanjeev Sabharwal, learned Additional Public Prosecutor [‘APP’] and Mr. Sachet Sharma, learned counsel for the Respondent No. 2.

3. Petitioner Nos. 1, 2 and 4 are physically present in Court and Petitioner No. 3 has joined the proceedings through video conferencing

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['VS'] link. Petitioners have been identified by their learned counsel as well as by the Investigating Officer ['IO'].

4. Respondent no. 2 is physically present in Court and is represented by her Learned counsel and is identified by the IO.

5. It is stated that on 11.06.2022 the Petitioner No. 1 and Respondent No. 2 solemnized their marriage. However, out of the said wedlock no child has been born. It is stated that owing to temperamental differences and matrimonial discord the parties started living separately since 16.06.2023.

6. It is stated that the subject FIR was registered at the instance of the Respondent No. 2 on 26.12.2024. It is stated that chargesheet has not been filed.

7. It is stated that the parties have amicably resolved all disputes between them and have executed a Settlement Agreement dated 16.04.2026 ['Settlement Agreement'].

8. 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 by the competent Court vide decree dated 03.08.2026.

9. Mr. P C Jha, learned counsel for the Petitioners state that a total sum of Rs. 6 lakhs has been agreed to be paid by Petitioner No. 1 to Respondent No. 2 towards full and final settlement of all her claims including Istridhan, maintenance (present, past and future) and permanent alimony, etc.

9.1 He states that out of the Rs. 6 lakhs, Rs. 4 lakhs was paid during the

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divorce proceedings and the balance amount of Rs. 2 lakhs has been paid today through a Demand Draft ['DD'], details of which are DD No. 231020, drawn upon Kotak Mahindra Bank, dated 12.10.2026.

10. 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.

11. Learned APP states that no chargesheet has been filed in the present matter and 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.

12. In view of the aforesaid facts and Settlement Deed, the parties seek quashing of the subject FIR.

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

14. This Court has interacted with Respondent No. 2. She confirms the submission of the learned counsel for the Petitioners and also confirms the execution of the Settlement Agreement, as well as her affidavit dated 09.09.2026 recording her no objection to the quashing of the subject FIR, filed at internal page '20' of the present petition.

15. 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

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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.

16. In view of the aforesaid submissions by the parties, considering the fact that the terms of the Settlement Agreement stand fully satisfied, there remains no impediment to the grant of the relief sought.

17. 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 Deed 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

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[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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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.

18. 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.

19. Therefore, the subject FIR No. 0839/2024 dated 26.12.2024, registered at Police Station Mandawli Fazalpur, for offences under Sections 498A, 406, and 34 IPC, along with all consequential proceedings arising therefrom, is hereby quashed.

20. The parties shall remain bound by the terms of the Settlement Agreement dated 16.04.2026.

21. In view of the foregoing, the present petition is allowed.

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 order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 28, 2026/mt/IB

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