$~95

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

\# **CNR No. DLHC010526012026**

\+ CRL.M.C. 8182/2026

VIKAS YADAV@ BITTU YADAV .....Petitioner

Through: Mr. Kuldeep Babbar and
Ms. Sowmya S.A, Advocates.

versus

THE STATE (NCT OF DELHI) & ANR. .....Respondents

Through: Mr. Shoaib Haider, APP for State.
Ms. Zeba Khair, Mr. Abhishek Singh, Mr. Anmol Gulati and Mr. Ifat Hamit, Advocates for R-2.
SI Divyanshu, PS-Dwarka North with ASI Bijender.
ASI Brajendra Singh.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 02.11.2026

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] seeks quashing of FIR No. 0696/2021 dated 17th September, 2021,[2] registered at P.S. Dwarka North, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860,[3] along with all consequential proceedings emanating therefrom.

2. Petitioner No. 1 is the husband while Petitioners No. 2 to 6 are the in-

[1] "BNSS"
[2] "impugned FIR"
[3] "IPC"

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 06/11/2026 at 12:00:28

laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 2nd August, 2020, as per Hindu rites and ceremonies. The parties have no child from the marriage. Owing to matrimonial discord and temperamental differences, the relationship between the parties deteriorated and they started living separately.

3. Subsequently, Respondent No. 2 lodged a complaint against the Petitioners, alleging that she was subject to cruelty, which later culminated into the impugned FIR.

4. The parties state that during the pendency of the proceedings, they have amicably resolved their matrimonial disputes and entered into a Settlement Agreement dated 12th September, 2023, a copy whereof has been placed on record. Under the settlement, the Petitioner agreed to pay INR 5 lakh to Respondent No. 2 towards full and final settlement of all her claims. Pursuant to the settlement, the parties have obtained a decree of divorce by mutual consent dated 27th February, 2024, from the Family Court, Dwarka, Delhi.

5. Respondent No. 2, who appears in person and has been duly identified by the Investigating Officer, confirms that she has amicably settled all her disputes with the Petitioner. She acknowledges receipt of INR 3.5 lakh towards the settlement amount. The balance amount of INR 1.5 lakh has been handed over to her today by way of a Demand Draft, which she accepts and acknowledges. She further confirms that the settlement has been arrived at voluntarily, without any force, pressure or coercion, and that she has no objection to the quashing of the impugned FIR and all consequential proceedings emanating therefrom.

6. The Court has considered the aforesaid facts and submissions.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 06/11/2026 at 12:00:28

Notably, the offence under Sections 498A is non-compoundable, while the offence under Sections 406 is compoundable in certain cases.

7. It is well settled that the power of the High Court under Section 482 CrPC [corresponding to Section 528 BNSS] to quash criminal proceedings is distinct from the power of compounding under Section 320 CrPC. This power may be exercised even in cases involving non-compoundable offences where the parties have settled the matter. However, the power is to be exercised sparingly and with caution, having regard to the nature and gravity of the offence and the circumstances of the case. In ***Narinder Singh & Ors. v. State of Punjab & Anr.***[4], the Supreme Court held that criminal cases having an overwhelmingly and predominantly civil character, particularly those arising out of matrimonial relationships or family disputes, stand on a distinct footing where the parties have resolved their entire disputes. The Court further held that, in such cases, the High Court may quash the proceedings where, having regard to the settlement, the possibility of conviction is remote and bleak, and continuation of the criminal proceedings would serve no useful purpose. These principles have similarly been reiterated in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur & Ors. v. State of Gujarat & Anr***[5]**.**

8. Considering the nature of the dispute, the amicable settlement between the parties, the fact that the settlement has been acted upon and the subsequent dissolution of the marriage by mutual consent, this Court is of the opinion that the present case is a fit case for exercise of jurisdiction under Section 528 BNSS. Continuation of the criminal proceedings would

[4] (2014) 6 SCC 466.
[5] (2017) 9 SCC 641.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 06/11/2026 at 12:00:28

serve no useful purpose and would only amount to an abuse of the process of the Court.

9. Accordingly, the impugned FIR No. 0696/2021, and all proceedings emanating therefrom, are hereby quashed.

10. The parties shall abide by the terms of settlement.

11. The present petition is disposed of in the aforesaid terms. Pending application(s), if any, shall also stand disposed of.

SANJEEV NARULA, J

NOVEMBER 2, 2026
nk

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 06/11/2026 at 12:00:28