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

\# **CNR No. DLHC010526032026**

\+ CRL.M.C. 8184/2026 & CRL.M.A. 34314/2026

SIDDHARTH KANOJIA AND ORS .....Petitioners

Through: Mr. Rajender Kumar, Advocate with Petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANR .....Respondents

Through: Ms. Kiran Bairwa, APP for the State with SI Anjali Tomar, PS Mukherjee Nagar.
Mr. Kashish Vats, Mr. Parth Vats, Mr. Chandan Kumar, Mr. Sachin Gautam, Advocates for R-2 with R-2 in person.

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. 468/2023 dated 06th May, 2023, registered under Sections 498A/406/34 of the Indian Penal Code, 1860[2] at P.S. Mukherjee Nagar and all proceedings emanating therefrom.

2. Petitioner No. 1 is the husband, while Petitioners No. 2 to 4 are the in-laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnised on 25th November, 2020, as per Hindu

[1] "BNSS"
[2] "IPC"

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rites and ceremonies. The parties have no children from the marriage. Owing to matrimonial discord, the parties started living separately from 01st October, 2022. Subsequently, Respondent No. 2 lodged a complaint against the Petitioners, which culminated in the registration of the subject FIR.

3. During the pendency of the disputes, the parties, of their own free will and without any pressure, coercion or undue influence, amicably resolved their differences before the Delhi Mediation Centre, Patiala House Courts, New Delhi, *vide* Settlement Agreement dated 25th November, 2024. In terms of the settlement, Petitioner No. 1 agreed to pay a total sum of INR 6,00,000/- to Respondent No. 2 towards full and final settlement of all her claims arising out of the matrimonial relationship, including those relating to maintenance, *stridhan*, dowry articles and jewellery. The said amount was agreed to be paid in four instalments of INR 1,50,000/- each. The parties further agreed to dissolve their marriage by mutual consent and to resolve all pending disputes in terms of the settlement.

4. In furtherance of the settlement, the first three instalments, aggregating to INR 4,50,000/-, have already been paid by Petitioner No. 1 to Respondent No. 2. The parties have also obtained a decree of divorce by mutual consent dated 09th December, 2025, passed by the Family Court, Patiala House Courts, New Delhi, in HMA No. 1123/2025. The remaining amount of INR 1,50,000/-, constituting the fourth and final instalment under the Settlement Agreement, has been tendered by Petitioner No. 1 to Respondent No. 2 by way of a demand draft dated 31st October, 2026, drawn on the State Bank of India, which has been placed on record pursuant to the directions of this Court.

5. Respondent No. 2 has appeared and has been identified by the

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Counsel. The Petitioners are also present in person, and their identities have been verified. Respondent No. 2 confirms the settlement and gives her no objection to the quashing of the subject FIR. She further states that the settlement has been arrived at voluntarily, without any pressure, coercion or undue influence, and that she has no surviving grievance against the Petitioners. In view of the settlement having been acted upon and the marriage having been dissolved by mutual consent, the parties jointly pray for quashing of the subject FIR.

6. The Court has considered the aforesaid facts and submissions. It is noted that the offence under Section 498A of the IPC is non-compoundable, whereas the offence under Section 406 of the IPC is compoundable, subject to the conditions stipulated under Section 320 of the Code of Criminal Procedure, 1973.

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.***[3], 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

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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***[4]**.**

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

9. Accordingly, FIR No. 468/2023 dated 06th May, 2023, registered under Sections 498A/406/34 of the IPC at P.S. Mukherjee Nagar, 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/ab

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[3] (2014) 6 SCC 466.
[4] (2017) 9 SCC 641.

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