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

\# **CNR No. DLHC010529372026**

\+ CRL.M.C. 8227/2026

RAHUL MISHRA & ORS. .....Petitioners

Through: Ms. Poonam Prajapati, Advocate.

versus

STATE GOVT OF NCT OF DELHI & ANR. .....Respondents

Through: Ms. Kiran Bairwa, APP for State.
S.I. Raghavendra, P.S. Jaitpur.
Ms. Yogeshwari, Advocate for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 03.11.2026

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] seeks quashing of FIR No. 625/2025 dated 26th September, 2025, registered under Sections 498A/406/34 of the Indian Penal Code, 1860[2] at P.S. Jait Pur and all proceedings emanating therefrom.

2. Petitioner No. 1 is the husband while Petitioners No. 2 to 6 are the in-laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 06th December, 2020, as per Hindu rites and ceremonies. The parties have no children from the marriage. Owing to matrimonial discord and temperamental differences, the relationship between the parties deteriorated and they started living separately.

[1] "BNSS"

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3. Subsequently, Respondent No. 2 lodged a complaint against the Petitioners, alleging that she was subject to cruelty, which later culminated into the subject FIR. Pursuant to investigation, a chargesheet was filed under the same sections.

4. The parties, of their own free will and without any pressure, coercion or undue influence, have amicably resolved their dispute before the Principal Judge, Saket Court, Delhi. The Parties have executed a Settlement Agreement dated 30th May, 2026, whereby Petitioner No. 1 has agreed to pay a total sum of INR 25,00,000/- to Respondent No. 2 towards full and final settlement of her claims. The parties have agreed to withdraw all proceedings pending before various *fora.* Pursuant to the settlement, the Petitioner and Respondent No. 2 have obtained a decree of divorce by mutual consent dated 4th August, 2026, passed by the Family Court, Saket Court, South East District, Delhi.

5. Respondent No. 2, who appears before the Court in person and is duly identified by the IO, confirms the settlement and gives her no objection to the quashing of the subject FIR. She further states that she has no further grievance against the Petitioners. She confirms that, in terms of the Settlement Agreement, a sum of INR 18,00,000/- has already been paid to her. The remaining INR 7,00,000/-, as stipulated under the Settlement Agreement, has been tendered to her by way of a demand draft during the proceedings. Respondent No. 2 acknowledges receipt of the said amount. In view of the settlement, the parties jointly pray for quashing of the subject FIR.

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

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[2] "IPC"

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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.***[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 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

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

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

9. Accordingly, FIR No. 625/2025 dated 26th September, 2025, registered under Sections 498A/406/34 of the IPC at P.S. Jait Pur, 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 3, 2026/*hc*

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