$~61

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

\# **CNR No. DLHC010529742026**

\+ W.P.(CRL) 3437/2026 & CRL.M.A. 34512/2026

AMINDER SINGH & ORS. .....Petitioners

Through: Mr. Rajesh Mahajan, Sr. Adv. with Petitioner no. 1 and 4 (through VC).

versus

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

Through: Mr. Anand V Khatri, ASC with SI Ravi Narwal, PS Rajouri Garden.
Dr. R.S. Sasan Adv. for R-2 with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

O R D E R

% 03.11.2026

1. Hybrid mode.

2. The present writ petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 Cr.P.C.) for quashing FIR No. 116/2026 under Sections 85, 316(2) and 3(5) Bharatiya Nyaya Sanhita, 2023 ('BNS') registered at PS Rajouri Garden, Delhi and all proceedings arising therefrom *qua* the Petitioners.

3. Issue notice. Mr. Anand V. Khatri, learned ASC, accepts notice on behalf of the State. Dr. R.S. Sasan, learned counsel for Respondent No. 2, appears on advance notice and accepts notice.

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 05/11/2026 at 11:43:23

4. All petitioners except petitioner no. 1 and 2, who appears through V.C. along with Respondent No. 2 are present before the Court and have been identified not only by their respective counsels as well as by SI Ravi Narwal, PS Rajouri Garden.

5. It has been submitted by learned counsel for the Petitioners that the marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 31.10.2023 at Gurudwara Rakab Ganj Sahib, New Delhi according to Sikh rites and ceremonies, after which they resided together. No child was born out of the wedlock. Petitioner Nos. 2 to 4 are the family members of Petitioner No. 1. Owing to matrimonial discord arising out of temperamental differences, the parties have been living separately since 10.08.2024.

6. The FIR came to be registered on the complaint of Respondent No. 2 addressed to the Crime Against Women Cell, wherein she alleged that she had been harassed for dowry and subjected to mental and physical cruelty by Petitioner No. 1 and his family members and that her jewellery remained with her in-laws.

7. During the pendency of the proceedings, the parties amicably resolved all their disputes with the intervention of relatives, elders and respectable members of the society and entered into a Memorandum of Understanding dated 23.07.2026 (‘Settlement Deed’), a copy whereof has been placed on record as Annexure P-2. Under the Settlement Deed the parties agreed to dissolve their marriage by a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955. It is submitted that the first motion was completed on 12.08.2026 and the second motion on 14.10.2026 and that the marriage between Petitioner No. 1 and Respondent No. 2 stands dissolved by a decree of divorce by mutual consent.

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 05/11/2026 at 11:43:23

8. In terms of the Settlement Deed, the articles and stridhan of Respondent No. 2 have already been returned to her by Petitioner No. 1 and Respondent No. 2 has undertaken not to claim any past, present or future maintenance, stridhan or other amount from Petitioner No. 1 and his family. The parties have further agreed that neither of them shall have any right, title or interest in the movable or immovable properties of the other or of the other's family members and that neither the parties nor their family members shall initiate any complaint or proceedings against each other pertaining to the marriage. Respondent No. 2 also undertook to withdraw the proceedings instituted by her against Petitioner No. 1 and his family members and to cooperate in the proceedings for quashing of the subject FIR.

9. It is jointly submitted by Petitioner No. 1 and Respondent No. 2 that, as they have since been mutually separated and the cases initiated by the parties have been withdrawn by them respectively and only the subject FIR remains, which is sought to be quashed by way of the present petition. Respondent No. 2 has also filed her affidavit by way of a No Objection Certificate, which has been placed on record.

10. This Court has interacted with Respondent No. 2. She confirms the aforesaid submissions and the execution of the Settlement Deed as well as her affidavit. She states that the settlement was arrived at voluntarily, without any force, pressure, coercion or undue influence, that she has withdrawn all her allegations and grievances against the Petitioners and that she does not wish to pursue the criminal proceedings. In such circumstances, she has no objection if the subject FIR and all proceedings arising therefrom are quashed against the Petitioners.

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 05/11/2026 at 11:43:23

11. This Court has heard the parties and perused the record. The offence under Section 85 of the BNS is non-compoundable. With respect to such offences, the Supreme Court in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303, held that the inherent jurisdiction of the High Court to quash criminal proceedings on the basis of a settlement may be exercised where it is necessary to secure the ends of justice or to prevent abuse of the process of any Court. The Court 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 resolved their entire dispute, the High Court may quash the proceedings if the possibility of conviction is remote and bleak and the continuation of the proceedings would cause oppression and prejudice to the accused despite the settlement. These principles were reiterated in ***Narinder Singh & Ors. v. State of Punjab & Anr.***, (2014) 6 SCC 466, wherein the Supreme Court held that such power is to be exercised sparingly and with caution and not in respect of heinous and serious offences or offences having a serious impact on society, but that criminal cases arising out of matrimonial relationships or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

12. In the present case, the criminal proceedings arise purely out of a matrimonial discord between Petitioner No. 1 and Respondent No. 2 and their respective family members. The marriage has since been dissolved by a decree of divorce by mutual consent and the material terms of the Settlement Deed stand acted upon. Respondent No. 2 has appeared before this Court and unequivocally affirmed that the settlement was entered into voluntarily and that she does not wish to pursue the matter. The chargesheet is yet to be

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 05/11/2026 at 11:43:23

filed. In view of the settlement and the stand of Respondent No. 2, the possibility of conviction is remote and bleak and there is no overriding public interest in continuing with the prosecution. Permitting the proceedings to continue would serve no useful purpose and would amount to an abuse of the process of law besides an unnecessary expenditure of judicial time and public resources. A quietus to the criminal proceedings would also enable the parties to move on with their lives. This Court is therefore of the considered opinion that it is a fit case to exercise its jurisdiction under Section 528 of the BNSS in the interest of justice.

13. Accordingly, the petition is allowed. FIR No. 116/2026 registered at P.S. Rajouri Garden, New Delhi under Sections 85, 316(2) and 3(5) of the BNS and all consequential proceedings emanating therefrom are hereby quashed qua the Petitioners.

14. The parties shall remain bound by the terms of the Settlement Deed dated 23.07.2026 and the undertakings contained therein.

15. The petition, accordingly, stands disposed of together with pending application(s), if any.

VIMAL KUMAR YADAV, J

NOVEMBER 3, 2026/hk

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 05/11/2026 at 11:43:23