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

\# **CNR No. DLHC010532832026**

\+ CRL.M.C. 8278/2026 & CRL.M.A. 34709/2026

VIKAS GUPTA AND ORS. .....Petitioners

Through: Dr. Vinod Kumar Goyal, Ms. Kanchan Tripathi, Mr. Vinay Kumar Rana, Mr. Tushar Mittal and Mr. Parikshit, Advocates with Petitioners present (in-Person).

versus

STATE OF NCT OF DELHI THROUGH STANDING COUNSEL GOVT OF DELHI & ORS. .....Respondents

Through: Ms. Kiran Bairwa, APP for State.
ASI Vikram Singh, P.S. Karawal Nagar.
Mr. Kartikey Kumar and Mr. M.P. Narayan, Advocates for R-2 with Respondent No. 2 (in-Person).

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 18.11.2026

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] seeks quashing of FIR No. 200/2023 dated 13th May, 2023, registered under Sections 498A/406/34 of the Indian Penal Code, 1860[2] at P.S. Karawal Nagar and all proceedings emanating therefrom.

2. Petitioner No. 1 is the husband, while Petitioners No. 2 to 5 are the in-

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

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laws of Respondent No. 2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnised on 3rd May, 2022, 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 since 14th July, 2022.

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

4. The parties, of their own free will and without any pressure, coercion or undue influence, have amicably resolved their dispute before the Delhi Mediation Centre, Karkardooma Courts, Delhi. The Parties have executed a Settlement Agreement dated 2nd September, 2026, whereby Petitioner No. 1 has agreed to pay a total sum of INR 6,00,000/- 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 22nd September, 2026, passed by the Family Court-02, District North-East, Karkardooma Courts, Delhi.

5. Respondent No. 2, who appears before the Court 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 4,00,000/- has already been paid to her. The remaining INR 2,00,000/-, as stipulated under the Settlement Agreement, has been tendered to her by way of cheque during the

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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. Notably, the offence under Section 498A IPC is non-compoundable, while the offence under Section 406 IPC 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

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

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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. 200/2023 dated 13th May, 2023, registered under Sections 498A/406/34 of IPC at P.S. Karawal 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 18, 2026
as

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