$~60 (16.11.2026)

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

\# **CNR No. DLHC010545622026**

\+ CRL.M.C. 8450/2026

SANDEEP KUMAR & ORS. .....Petitioners

Through: Mr. Hemant Baisla, Mr. Ankush, Mr. Hemant Kumar Niranjan and Mr. Manjeet Singh Rathore, Advocates.

versus

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

Through: Ms. Kiran Bairwa, APP for State.
Ms. Jyoti Sharma, Advocate for R-2.
SI Prajwal, PS-Prem Nagar.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 17.11.2026

[*This case is being taken up today as 16th November, 2026 was declared a holiday vide Notification No. 110/G-4/Genl.-I/DHC dated 11th November, 2026*]

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] seeks quashing of FIR No. 0776/2024 dated 31st December, 2024, registered under Sections 498A/406/506/34 of the Indian Penal Code, 1860 ["IPC"] at P.S. Prem 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 solemnized on 9th December, 2022, as per Hindu rites

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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 have been living since 15th July, 2024.

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 disputes before the Counselling Cell, Family Courts, Rohini, Delhi, *vide* Settlement Agreement dated 10th June, 2025, a copy whereof has been placed on record. In terms of the settlement, the parties agreed upon the return of jewellery and matrimonial articles, along with payment of INR 50,000/- to Respondent No. 2 towards the value of two gold rings. Pursuant to the settlement, their marriage has been dissolved by a decree of divorce by mutual consent dated 30th July, 2026, passed by the Family Court, Rohini, Delhi.

5. Respondent No. 2 is present in Court and has been identified by the concerned IO. She confirms the settlement arrived at between the parties and acknowledges receipt of the settlement consideration and return of jewellery and matrimonial articles in terms thereof. She further confirms that the settlement has been arrived at voluntarily, without any force, coercion or undue influence, and that she has no objection to quashing of the impugned FIR.

6. The Court has considered the aforesaid facts and submissions. Notably, the offence under Sections 498A IPC is non-compoundable, while the offences under Sections 406 and 506 IPC are compoundable in certain

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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.***[1], 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***[2]**.**

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

[1] (2014) 6 SCC 466.
[2] (2017) 9 SCC 641.

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of the Court.

9. Accordingly, the petition is allowed. The impugned FIR No. 0776/2024 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 17, 2026
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