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

+ CRL.M.C. 6167/2025

TAJINDER SINGH @ TAJINDER SINGH
SANGRAHAL & ORS.

.....Petitioners

Through: Mr. Sarthak Chaturvedi, Ms. Pritee Singh & Ms. Dimple S., Advocates
alongwith P-1 to 6 in Person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for State.
ASI Arvind Kumar, PS Timar Pur.
Mr. Bhanu Mohan and R.K. Gaur,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **03.02.2026**

1. The petitioners have filed the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 89/2023 dated 27.01.2023, registered at Police Station Timarpur, under Sections 498A, 406, and 34 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground of settlement.
2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Bhanu Mohan accepts notice on behalf of respondent No. 2.
3. The petition is taken up for disposal with the consent of learned counsel for the parties.



4. The impugned FIR has been registered at the instance of respondent No. 2, who was the wife of petitioner No. 1. Petitioner Nos. 2 to 7 are members of petitioner No. 1's family, who are stated to be residing separately.

5. Petitioner No. 1 and respondent No. 2 were married on 21.04.2010. Due to matrimonial discord and temperamental differences, the parties have been living separately since 20.06.2020. Two daughters were born from the wedlock on 18.03.2011 and 03.09.2013, respectively.

6. Respondent No. 2 lodged a formal complaint before the Crime Against Women Cell on 05.05.2022, which culminated in the registration of the impugned FIR against seven accused persons, being her husband and her in-laws.

7. During the pendency of the proceedings, petitioner No. 7 passed away on 04.09.2025, and the proceedings against him stand abated. A death certificate has been handed up in Court and taken on record. The same has been confirmed by the Investigating Officer as well.

8. The parties have entered into a settlement before the Delhi Mediation Centre, Tis Hazari Courts, Delhi, recorded in a Settlement Deed dated 15.05.2024.

9. Learned counsel for the parties confirm that the settlement has been entered into voluntarily, without any coercion or undue influence.

10. In light of the aforesaid, parties seek quashing of the impugned FIR alongwith all the proceedings emanating therefrom.

11. The petitioners are present in Court and are identified by their learned counsel as well as the Investigating Officer. Respondent No. 2 is also present in person and identified by her learned counsel and the



Investigating Officer.

12. The parties have amicably resolved all disputes arising from their matrimonial relationship through the aforesaid Settlement Deed, under which they have agreed to dissolve their marriage by mutual consent through the Family Court. As part of the settlement, petitioner No. 1 has agreed to pay a total sum of Rs. 9,50,000/- to respondent No. 2, towards full and final settlement of all her claims. The deed provides for permanent custody of the minor children with the father, with the mother having visitation rights once every two months. Both parties have undertaken to withdraw all pending proceedings, cooperate in the filing of petitions for mutual divorce and for quashing of the FIR, and have mutually waived any rights, claims, or interest in each other's movable or immovable properties. The settlement is stated to be voluntary, without coercion or undue influence.

13. The marriage was subsequently dissolved before the Principal Judge, Family Courts, Central Tis Hazari Courts, Delhi, in HMA No. 511/2025, dated 09.06.2025.

14. While the offence under Section 498A of the IPC is non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, particularly when no overarching public interest is adversely affected.



15. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has held as follows:

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has also laid down guidelines for High Courts while

¹ (2012) 10 SCC 303.

² Emphasis supplied.

³ (2014) 6 SCC 466.



accepting settlement deeds between parties and quashing the proceedings.

The relevant observations in the said decision read as under:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and



continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”⁴

16. In the present case, the proceedings arise from a matrimonial relationship which has already culminated in a decree of divorce. Applying the tests laid down by the Supreme Court, it is observed that respondent No. 2 has categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the continuation of criminal proceedings is unlikely to result in any conviction and would amount to a mere formality, unnecessarily burdening the justice system and expending public resources.

17. The settlement contemplates a total payment of Rs. 9,50,000/- to respondent No. 2, out of which Rs. 1,50,000/- has been handed over in Court today as the final installment. There is, therefore, no impediment to granting the relief sought by the petitioners.

18. Having regard to the foregoing, the petition is allowed, and FIR No. 89/2023 dated 27.01.2023, registered at Police Station Timarpur under Sections 498A, 406, and 34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

19. The parties shall remain bound by the terms of the settlement.

20. The petition accordingly stands disposed of.

21. It is, however, made clear that the settlement and the present order shall not, in any way, affect the rights of the minor children.

PRATEEK JALAN

FEBRUARY 3, 2026/‘pv’/SD/

⁴ Emphasis supplied.