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

+ **CRL.M.C. 7737/2025 & CRL.M.A. 32357/2025**

SHRI SATYAWAN

.....Petitioner

Through: Mr. Shabhat Hussain, Advocate
alongwith petitioner

versus

THE STATE(NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Satish Kumar, APP for the
State alongwith SI Saloni, P.S.-
Anand Parbat

Mohd Rashid, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

22.01.2026

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1. The petitioner has 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. 0052/2019 dated 11.03.2019, registered at Police Station Anand Parbat, Delhi, under Sections 363/174A of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on the ground of amicable settlement entered into between the parties.

2. The aforesaid FIR was registered at the instance of respondent No. 2, who is the father of respondent No. 3. The allegation in the FIR was that the complainant's daughter [respondent No. 3 herein], who was stated to be aged about 17½ years, had been missing from her home since 09.03.2019. On the basis of this allegation, the FIR came to be registered



under Section 363 IPC. During the course of investigation, efforts were made to trace respondent No. 3. It was thereafter alleged by the complainant that respondent No. 3 had been taken away by the present petitioner. As the petitioner did not join the investigation despite issuance of notice under Section 41 of the CrPC, proceedings were also initiated under Section 82 of the CrPC. The charge-sheet was subsequently filed under Sections 363 and 174A IPC.

3. The contention of the petitioner is that respondent No. 3 was, in fact, not a minor at the time of the alleged incident. It is submitted that she had left her parental home with him of her own free will and volition. It is further stated that the petitioner and respondent No. 3 solemnized their marriage on 22.03.2019.

4. In furtherance of the aforesaid, a Memorandum of Understanding [“MoU”] dated 04.10.2025 was entered into between the petitioner and respondents No. 2 and 3. The said MoU records that respondent No. 3 had left her residence voluntarily, without any force, pressure, or coercion, and also acknowledges that the marriage between the petitioner and respondent No. 3 had been solemnized as stated above.

5. The petitioner is present before this Court and has been identified by his learned counsel as well as the Investigating Officer. Respondent Nos. 2 and 3 are also present in person and have been identified by their learned counsel and the Investigating Officer.

6. Mr. Satish Kumar, learned Additional Public Prosecutor, has placed on record a status report. As per the said report, the date of birth of respondent No. 3 is recorded as 14.06.2000 on the basis of her birth certificate, which has since been verified. She was, therefore, more than



18 years of age at the time of the alleged incident. The status report also reproduces her statement recorded under Section 183 of the BNSS, wherein she has categorically stated that she had voluntarily run away from her parental home and had thereafter married the petitioner.

7. The respondent No.2 has also signed the MoU and states that he has no objection to the marriage of respondent No.3 with the petitioner. He therefore, does not wish to continue the present proceedings.

8. Learned counsel appearing for the parties submit that the settlement has been arrived at voluntarily and without any coercion, pressure, or undue influence. In view thereof, they jointly seek quashing of the impugned FIR and all consequential proceedings.

9. Although the offences under Section 363 and 174-A of the IPC are non-compoundable, the Supreme Court has consistently held that the High Courts, in exercise of their powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), may quash criminal proceedings even in respect of non-compoundable offences where the parties have settled their disputes, particularly in cases where no overarching public interest is adversely affected.

10. 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

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

11. In the present case, the criminal proceedings are traceable to an initial misconception that respondent No. 3 was a minor at the time of the alleged incident. It is not in dispute that the parties subsequently entered into a matrimonial relationship. Further, respondent No. 2 has

⁴ Emphasis supplied.



categorically affirmed before this Court that the settlement was entered into voluntarily and without any compulsion or undue influence.

12. I am of the view that, since it stands established that respondent No. 3 had, in fact, attained majority at the relevant time and had voluntarily left her parental home, and that she thereafter married the petitioner, the continuation of the criminal proceedings would serve no meaningful purpose. On the contrary, such continuation would operate as an unnecessary impediment to her peaceful domestic life. There is no overarching public interest that warrants the continuation of proceedings of this nature. In these circumstances, the likelihood of conviction is remote, and the continuation of the criminal proceedings would only add to the burden on the criminal justice system and result in avoidable consumption of public resources.

13. Accordingly, the petition is allowed, and FIR No. 0052/2019 dated 11.03.2019, registered at Police Station Anand Parbat, Delhi, under Sections 363/174A IPC, alongwith all proceedings emanating therefrom, is hereby quashed.

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

15. The petition, along with all pending applications, stands disposed of.

PRATEEK JALAN, J

JANUARY 22, 2026/dy/SD/