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

\# **CNR No. DLHC010957992025**

\+ CRL.M.C. 8553/2025

SUNNY BAGDI AND ORS .....Petitioners

Through: Mr. Dheeraj Jain, Advocate (Through VC)

versus

STATE OF NCT OF DELHI AND OTHERS .....Respondents

Through: Mr. Ajay Vikram Singh, APP for State with SI Ajay Kumar, PS: Bawana, Delhi

Mr. Ajay Kumar and Mr. Paramveer, Advocates for R-2 along with R-2 in person

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 17.11.2026

1. The present petition has been filed seeking the following relief: -

> "….Quash the proceedings of the criminal case FIR No. 540/2022 U/S498A/406/34 IPC registered at P.S. Bawana pending before the Hon'ble Court of Ms. Sanya Dalal, Ld. JMFC (Mahila Court), North Distt. Rohini Courts, Delhi vide case bearing no 2908/2023 titled as "State Vs. Sunny" and same is fixed for 15.13.2025, in the interest of justice."

2. Petitioner Nos. 1, 2, 3 and 4 are physically present in Court. The Petitioners are represented by the learned counsel and identified by the Investigating Officer ['IO']. Petitioner No. 5 is not present.

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3. Respondent No. 2 is present in Court, represented by her counsel, and has been identified by the IO.

4. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 18.02.2017, as per Hindu rites and ceremonies. One child was born out of the wedlock on 07.06.2018. Petitioner Nos. 2 to 5 are the relatives of Petitioner No. 1.

4.1. Due to matrimonial discord and temperamental differences between the parties, Respondent No. 2 filed a criminal complaint in the year 2022 which culminated in the subject FIR. The parties have been residing separately since 24.06.2019. The chargesheet was filed on 04.03.2023.

4.2. During the intervening period, the parties have arrived at a settlement *vide* Memorandum of Understanding dated 22.07.2023 ['MoU']. The marriage between Petitioner No. 1 and Respondent No. 2 has since been dissolved by a decree of divorce passed by the competent Court *vide* order dated 16.11.2023.

4.3. In terms of the MoU, Petitioner No. 1 has undertaken to pay a sum of Rs. 9,00,000/- to Respondent No. 2 towards full and final settlement of all claims including maintenance, alimony and stridhan.

4.4. Learned counsel for the Petitioners states that out of the said amount, a sum of Rs. 8,00,000/- has already been paid to Respondent No. 2 during the divorce proceedings. He states that the balance amount of Rs. 1,00,000/- has been paid over to Respondent No. 2 on 13.11.2026 in cash.

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5. This Court has interacted with Respondent No. 2. She confirms the receipt of the entire amount of Rs. 9,00,000/-. She also confirms that she has signed the MOU and has no objection if the subject FIR and consequent proceedings are quashed.

6. The parties state that the sole custody of the minor child will remain with Respondent No. 2. They state that in these facts, the relief for quashing of the subject FIR may be allowed.

7. Mr. Ajay Vikram Singh, learned APP, submits that the charge-sheet has been filed. He submits that, however, the State has no objection to the relief of quashing, keeping in view the fact that the disputes arise from a matrimonial dispute and have been amicably resolved between the parties.

8. This Court has heard the parties and perused the record.

9. With respect to offences that are non-compoundable, the Supreme Court, in **Gian Singh v. State of Punjab**[1], has held that the inherent jurisdiction of the High Court to quash criminal proceedings on the basis of a settlement may be exercised where such exercise is necessary to secure the ends of justice or to prevent abuse of the process of any Court. The Court has 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 amicably resolved their entire dispute, the High Court may quash the criminal proceedings if the possibility of conviction is remote and bleak and continuation of the proceedings would result in injustice despite the settlement. Similar

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principles were reiterated in **Narinder Singh & Ors. v. State of Punjab & Anr.**[2], wherein the Supreme Court held that, while exercising such jurisdiction, the High Court is required to be guided by the considerations of securing the ends of justice and preventing abuse of the process of any Court.

10. In the present case, the criminal proceedings arise out of a matrimonial discord between the parties, which marriage has since been dissolved by a decree of divorce by mutual consent. Respondent No. 2 has also appeared before this Court and unequivocally affirmed that the MoU was entered into voluntarily, without any coercion or undue influence. In view of the settlement between the parties, this Court is satisfied that this is a fit case for quashing in the interest of justice. There is no overriding public interest in continuing with the criminal proceedings. The quietus to the criminal proceedings will enable the parties to move on with their lives. Therefore, it is a classic case of a criminal case with a predominant element of civil dispute, and this Court is of the considered opinion that it is a fit case to exercise its discretionary jurisdiction under Section 528 of the BNSS.

11. Having regard to the principles laid down by the Supreme Court, this Court is of the view that permitting the prosecution to continue would serve no useful purpose, cause hardship to the parties and would merely result in an unnecessary expenditure of judicial time and public resources.

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[1] (2012) 10 SCC 303, [Paragraph Nos. 58 and 61]
[2] (2014) 6 SCC 466 [Paragraph Nos. 29 (29.1 - 29.5)]

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12. In view of the aforesaid submissions by the parties, considering the fact that the terms of the MoU stand fully satisfied, there remains no impediment to the grant of the relief sought.

13. Consequently, FIR No. 0540/2022 dated 27.07.2022, registered at P.S. Bawana, Delhi under Sections 498A, 406, and 34 of the Indian Penal Code, 1860, along with the chargesheet and all consequential proceedings, is hereby quashed.

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

15. It is however clarified that the aforesaid amount of Rs. 9,00,000/- paid by Petitioner No. 1 shall only be towards the claims of Respondent No. 2 herein.

16. It is, however, made clear that the legal rights of the minor child *qua* either parent are independent and the said rights are not governed by the MoU or anything recorded in this order.

17. Petitioners and IO will bring this order on the record of the trial Court for its information on the next date of hearing.

18. With the aforesaid observations and directions, the petition is allowed. Pending application is disposed of.

19. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No

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physical copy of the order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 17, 2026/*rhc*/aa

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