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

+ CRL.M.C. 8768/2025

AKSHAY GUPTA AND ORS

.....Petitioners

Through: Mr. Siddharth Prakash Malik, Adv.
Petitioner No.1 (In person)

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for State.
SI Jitender Kumar, PS Nangloi
Mr. Vikas Sharma, Mr. Manvi
Rajvanshy, Advocates for R-2 with
R-2 (In person)

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.03.2026**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973), seeking quashing of FIR No. 542/2024 dated 17.06.2024, registered at Police Station Nangloi under Sections 498A, 406, and 34 of the Indian Penal Code, 1860, alongwith all subsequent proceedings arising therefrom. The petition is based on an amicable settlement reached between the parties.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Vikas Sharma, learned counsel, accepts notice on behalf of respondent No. 2.



3. The petitioners are present before the Court and have been duly identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is also present in person and has been duly identified by the Investigating Officer.

4. With the consent of learned counsel for the petitioners and respondent No. 2, who is present in person, the petition is taken up for final disposal.

5. The impugned FIR was lodged at the instance of respondent No. 2, who is the wife of petitioner No. 1. Petitioner No. 2 is the brother-in-law, and petitioner No. 3 is the sister-in-law of respondent No. 2. Petitioners No. 4 and 5 are the mother-in-law and father-in-law of respondent No. 2, respectively, while petitioner No. 6 is stated to be the paternal uncle of petitioner No. 1.

6. The marriage between petitioner No. 1 and respondent No. 2 was solemnized on 03.07.2021 in accordance with Hindu rites and ceremonies, and the parties were blessed with one child from the said wedlock on 12.07.2022.

7. Respondent No. 2 lodged the FIR against the petitioners on 17.06.2024. Thereafter, the parties amicably resolved their matrimonial disputes, and respondent No. 2 has withdrawn all cases instituted against the petitioners. Although no formal settlement agreement has been executed, respondent No. 2 has filed an affidavit expressing her no-objection to the quashing of the present FIR and the consequent proceedings, confirming that the dispute has been settled and that she has no subsisting grievance against the petitioners.

8. Owing to certain temperamental differences, the parties started



living separately on 18.12.2023. However, they subsequently reconciled and have been residing together since 05.03.2025. Respondent No. 2, who is personally present before this Court, states that she has fully reconciled with petitioner No. 1 and that no disputes or grievances now subsist between them.

9. Learned counsel for the parties submit that the settlement was arrived at voluntarily, without any coercion, undue influence, or pressure from any side. In view of the above, the parties jointly seek quashing of the impugned FIR.

10. Although the offence under Section 498A of the IPC is non-compoundable, the Supreme Court has consistently recognised that High Courts may, in appropriate cases, exercise their inherent powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC) to quash criminal proceedings, including in relation to non-compoundable offences, where a genuine settlement has been reached between the parties, so long as such quashing does not prejudice any overriding public interest.

11. 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

¹ (2012) 10 SCC 303.



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 to follow when considering settlement deeds between parties and quashing criminal proceedings. The relevant observations in the said judgment are as follows:

“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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

12. In the present case, the dispute between the parties arises out of a matrimonial relationship, which now stands amicably resolved. Petitioner No. 1 and respondent No. 2 have reconciled and have been residing

⁴ Emphasis supplied.



together for more than a year. In these circumstances, the continuation of the criminal proceedings would be detrimental to their marital relationship and may also adversely affect the welfare and upbringing of their minor child.

13. In line with the principles laid down by the Supreme Court, respondent No. 2 has categorically affirmed before this Court that the settlement was entered into of her own free will, without any coercion or undue influence. In view of the same, the continuation of the criminal proceedings is unlikely to result in a conviction and would merely constitute a procedural exercise, thereby unnecessarily burdening the justice system and wasting valuable judicial time without serving any meaningful purpose.

14. In view of the foregoing, the present petition is allowed. Consequently, FIR No. 542/2024 dated 17.06.2024, registered at Police Station Nangloi under Sections 498A, 406, and 34 of the IPC, alongwith all proceedings arising therefrom, is hereby quashed.

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

16. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MARCH 18, 2026

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