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

+ **CRL.M.C. 8788/2025**

MR. MADAN SINGH

.....Petitioner

Through: Mr. Amrendra K. Tiwary,
Advocate for P-1 to P-6

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Ms. Manjeet Arya, APP for the
State alongwith SI Suresh K.
Meena, P.S.-New Usman Pura

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **20.01.2026**

CRL.M.A. 36643/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 8788/2025

3. The present petition has been filed 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. 340/2012 dated 31.12.2012, registered at Police Station New Usman Pur, Delhi, for offences punishable under Sections 498A, 406, and 34 of the Indian Penal Code, 1860 ["IPC"], and Section 4 of the Dowry Prohibition Act, 1961, as well as all proceedings emanating therefrom, in view of the amicable settlement arrived at between the parties.



4. The aforesaid FIR was registered at the instance of respondent No. 2, the wife of petitioner No. 1 herein. Petitioner Nos. 2 to 6 are the father-in-law, mother-in-law, sister-in-law, and brothers-in-law of respondent No. 2, respectively.
5. The marriage between petitioner No. 1 and respondent No. 2 was solemnized on 21.05.2010. One female child was born from the said wedlock. Differences arose between the parties, as a result of which they have been living separately since May 2011.
6. Thereafter, respondent No. 2 preferred a complaint before the Crime Against Women Cell, Old Police Station, Nand Nagri, Delhi, against petitioner No. 1 and his family members, on the basis of which FIR No. 340/2012 came to be registered on 31.12.2012.
7. During the pendency of the proceedings, the parties arrived at an amicable settlement, which was reduced into writing by way of a Memorandum of Understanding dated 01.10.2013, executed before the Delhi High Court Mediation and Conciliation Centre.
8. Pursuant to the settlement, the marriage between petitioner No. 1 and respondent No. 2 has been dissolved by a decree of divorce by mutual consent passed by the Family Court on 24.02.2016.
9. The petitioners are present in Court and have been identified by their learned counsel and the Investigating Officer. Respondent No. 2 is also present in person, has been identified by the Investigating Officer, and submits that she does not seek the assistance of counsel.
10. In view of the aforesaid settlement, the parties jointly seek quashing of the impugned FIR and all proceedings emanating therefrom.
11. Although the offence under Section 498A of the IPC is non-



compoundable, the Supreme Court has consistently held that, in appropriate cases, the High Courts, in exercise of their inherent 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 dispute has been amicably settled and no overriding public interest is adversely affected.

12. 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

¹ (2012) 10 SCC 303.



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 laid down guiding principles for the exercise of inherent powers while considering quashing of criminal proceedings on the basis of settlement. The relevant observations 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

13. In the present case, the criminal proceedings arise out of a matrimonial dispute, which has since culminated in a decree of divorce. It is evident, applying the principles laid down by the Supreme Court, that respondent No. 2 has categorically affirmed before this Court that the settlement was entered into voluntarily and without any coercion. In these circumstances, the continuation of the proceedings is unlikely to result in a conviction and would serve only as a futile formality, thereby imposing an unnecessary burden on the justice delivery system and consuming public resources.

14. The settlement provides for the payment of a total sum of Rs. 7,00,000/- to respondent No. 2, which has been fully paid. Respondent No. 2 has categorically stated that she has received the entire amount. It is agreed between the parties that the custody of the minor female child shall remain with respondent No. 2.

15. Having regard to the above discussion, the petition is allowed. The FIR No. 340/2012 dated 31.12.2012, registered at Police Station New



Usman Pur, Delhi, for the offences punishable under Sections 498A, 406, and 34 of the IPC and Section 4 of the Dowry Prohibition Act, 1961, along with the proceedings emanating therefrom, is hereby quashed.

16. The parties shall remain bound by the terms of the settlement. It is clarified that this order shall not affect the rights of the minor child in any manner.

17. The petition accordingly stands disposed of.

PRATEEK JALAN, J

JANUARY 20, 2026
dy/SD/

⁴ Emphasis supplied.