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

+ **CRL.M.C. 8861/2025**

AMANDEEP SINGH & ORS.

.....Petitioners

Through: Mr. Arjun Sharma & Mr. Nitin Sharma, Advocates for Petitioners alongwith P-1 to P-3 in Person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP alongwith Mr. Abhimanyu Arya, Advocate. Insp. Praveen Kr. & SI Jitender Kr., PS Nangloi Mr. R.S. Mandal, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.04.2026**

1. The petitioners have filed this 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. 249/2023, dated 16.03.2023, registered at Police Station Nangloi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground of settlement.

2. Issue notice. Ms. Manjeet Arya, learned Additional Public



Prosecutor, accepts notice on behalf of the State. Mr. R.S. Mandal, learned counsel, accepts notice on behalf of respondent No. 2.

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

4. The petition is taken up for disposal with the consent of learned counsel for the parties.

5. The petitioner No. 1 and respondent No. 2 were married on 10.02.2022. No child was born from the wedlock. Due to matrimonial discord and temperamental differences between the parties, they have been living separately since 02.12.2022.

6. The impugned FIR is registered pursuant to a formal complaint before the Crime Against Women Cell, at the instance of respondent No. 2, who was, at the relevant time, the wife of the petitioner No. 1, and petitioner Nos. 2 is his father, while petitioner No.3 is his mother.

7. A chargesheet was subsequently filed, pursuant to which offences under Sections 406, 377, 506, 354A, and 354 IPC were invoked. Thereafter, on 23.11.2024, charges under Sections 498-A, 406 and 34 IPC were formally framed against the petitioners.

8. During the pendency of the proceedings, the parties have settled all their disputes under the aegis of the Delhi Mediation Centre, Tis Hazari Courts, Delhi, by way of a settlement dated 28.07.2025, by which it has been agreed that petitioner No.1 shall pay a total sum of Rs.21,00,000/- to the wife towards full and final settlement of all her claims including maintenance (past, present and future), permanent alimony, jewellery,



etc., and the wife shall not raise any further claims in future.

9. The settlement amount is to be paid in instalments, namely Rs.4,50,000/- at the time of recording statements in the first motion petition under Section 13B(1) of the Hindu Marriage Act, 1955 [“HMA”], Rs.5,50,000/- at the time of the second motion under Section 13B(2) HMA, and the remaining Rs.11,00,000/- at the time of quashing of the FIR.

10. Respondent No. 2 has further submitted that the allegations under Sections 354 and 354A IPC against petitioner No. 2, i.e., the father-in-law, as well as the allegation under Section 377 IPC against petitioner No. 1, i.e., the husband, arose out of a misunderstanding in the course of the matrimonial dispute, and that she no longer has any subsisting grievance against the petitioners. It is further pertinent to note that charges have not been framed under the aforesaid sections.

11. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

12. Pursuant to the settlement, the marriage has been dissolved by a decree of divorce by mutual consent *vide* order dated 20.11.2025, passed by the Family Court, Tis Hazari Courts in HMA No. 2505/2025.

13. In light of the aforesaid, parties seek quashing of the impugned FIR.

14. The Supreme Court has unequivocally 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), are empowered to quash criminal proceedings, including those involving non-compoundable offences, where the parties have arrived at a genuine



and voluntary settlement, particularly in circumstances where such quashing would not adversely affect any overarching public interest.

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

¹ (2012) 10 SCC 303.

² Emphasis supplied.



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 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

³ (2014) 6 SCC 466.



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 disputes between the parties emanate from a matrimonial relationship, which has since been dissolved by a decree of divorce. Respondent No. 2 has categorically submitted before this Court that the allegations under Sections 354 and 354A IPC against petitioner No. 2, as well as the allegation under Section 377 IPC against petitioner No. 1, were the result of a misunderstanding arising in the backdrop of the matrimonial discord. Having regard to the principles enunciated by the Supreme Court, it is apparent that respondent No. 2 has clearly affirmed the voluntary and genuine nature of the settlement before this Court. In these circumstances, the possibility of a conviction is remote, and the continuation of the criminal proceedings would serve no meaningful purpose, amounting to a futile exercise that would unnecessarily burden the judicial system and entail avoidable expenditure of judicial time and public resources.

17. The settlement contemplates the payment of a total sum of Rs.21,00,000/- to respondent No. 2, out of which a sum of Rs.10,00,000/- has already been received by her. The balance amount of Rs.11,00,000/- has been handed over to respondent No. 2 in Court today. In view of the full and final settlement having been duly satisfied, there remains no

⁴ Emphasis supplied.



impediment to the grant of the relief sought.

18. Having regard to the above discussion, the petition is allowed, and FIR No. 249/2023, dated 16.03.2023, registered at Police Station Nangloi, under Sections 498A/406/34 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, alongwith any pending application, accordingly stands disposed of.

PRATEEK JALAN, J

APRIL 21, 2026

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