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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 23/2026
NAVEEN YADAV & ORS.Petitioners
Through: Ms. Jyoti Thakur, Advocate

versus

THE STATE GOVT. OF NCT
OF DELHI & ANR.Respondents
Through: Mr. Hitesh Vali, APP for the State
with Ms. Pragati Gupta, Advocate
alongwith ASI Umesh Chand,
P.S.-K.N.K Marg, Rohini
Mr. Himanshu Mahajan, Advocate
for R-2

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **05.01.2026**

CRL.M.A. 33/2026 (Exemption)

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

CRL.M.C. 23/2026

1. 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. 142/2023 dated 08.04.2023, registered at Police Station K.N. Katju Marg, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground of settlement.
2. The FIR was registered at the instance of respondent No. 2, who is the wife of petitioner No. 1. Petitioner Nos. 2 and 3 are the parents of



petitioner No. 1.

3. The marriage between petitioner No. 1 and respondent No. 2 was solemnised on 21.04.2021, and the parties have been living separately since 21.11.2022. In the criminal case arising out of the said FIR, a charge-sheet was filed on 15.09.2023, and charges were framed under Sections 498A, 406, and 34 of the IPC.

4. Apart from the present FIR, respondent No. 2 had also initiated proceedings under the Protection of Women from Domestic Violence Act, 2005 [“PWDV Act”], being CC No. 2168/2022, before the learned Judicial Magistrate First Class, North District, Rohini Courts, Delhi. Matrimonial proceedings were also instituted by petitioner No. 1 on 07.08.2024, being HMA No. 1310/2024, before the Court of the learned Principal Judge, North District, Rohini Courts, Delhi.

5. During the pendency of the aforesaid proceedings, the parties entered into a Memorandum of Understanding/Settlement Agreement dated 09.06.2026, which has been placed on record alongwith the present petition.

6. The parties are present before the Court, and are identified by their respective counsel, with respondent No. 2 also identified by the Investigating Officer [“IO”].

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

8. Pursuant to the settlement, respondent No. 2 withdrew the proceedings under the PWDV Act on 09.06.2025. Thereafter, the parties’ marriage was dissolved by a decree of divorce by mutual consent, passed by the Family Court, North District, Rohini, Delhi, on 13.12.2025. In



terms of the settlement, all disputes between the parties, including the criminal proceedings, the proceedings under the PWDV Act, and other matrimonial matters, have been amicably resolved.

9. Although an offence under Section 498A IPC is non-compoundable, the Supreme Court has held that the High Courts, in exercise of their powers under Section 528 of the BNSS (corresponding to Section 482 CrPC), can quash criminal proceedings on the basis of a compromise between the accused and the complainant, even in respect of non-compoundable offences, 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 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,

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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 proceedings between the parties arise out of a matrimonial relationship, that has already been dissolved by a decree of divorce. In accordance with the tests laid down by the Supreme Court, it may be noted that respondent No. 2 has also expressly affirmed the voluntary nature of the settlement before the Court. Under these circumstances, the criminal proceedings are unlikely to culminate in conviction, and their continuation would amount to a mere formality, imposing an burden on the justice system and consuming public resources unnecessarily.

12. The settlement provides for payment of a total sum of Rs. 20,00,000/- by the petitioners to respondent No. 2, as well as the handing

⁴ Emphasis supplied.



over of certain articles enumerated in Annexure-1 to the settlement agreement. The settlement amount of Rs. 20,00,000/- was agreed to be paid in three tranches of Rs. 6,00,000/-, Rs. 6,00,000/-, and Rs.8,00,000/-. The first two tranches, amounting to Rs. 12,00,000/-, have already been paid. The balance amount of Rs. 8,00,000/- was agreed to be paid at the time of quashing of the present FIR.

13. Respondent No. 2 has received a demand draft for a sum of Rs. 8,00,000/- (DD No. 931916 dated 19.12.2025 drawn on State Bank of India, New Delhi).

14. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure. There is, therefore, no impediment to the grant of the relief sought.

15. Having regard to the aforesaid, the petition is allowed, and FIR No. 142/2023 dated 08.04.2023, registered at Police Station K.N. Katju Marg, for offences punishable under Sections 498A/406/34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

16. The petition accordingly stands disposed of.

PRATEEK JALAN, J

JANUARY 5, 2026

Dy/SD/