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

+ **CRL.M.C. 559/2026**

SH KARAN SINGH & ORS.

.....Petitioners

Through: Mr. Avadh Narayan, Mr. Neel Kumar Sharma, Mr. A.K. Kashyap and Mr. Bhunit, Advocates alongwith petitioners

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State alongwith ASI Parveen Kumar, P.S.-South West Zone, SI Ram Nivas and SI Johny Kumar, P.S.-Uttam Nagar

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HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.01.2026

CRL.M.A. 2245/2026 (Exemption)

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

CRL.M.C. 559/2026

3. 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. 497/2018 dated 06.06.2018, registered at Police Station Uttam Nagar, Delhi, under Sections 498A/406 of the Indian Penal Code, 1860 ["IPC"], alongwith all proceedings emanating therefrom, on



the ground that the disputes between the parties have been amicably settled.

4. The said FIR was registered at the instance of respondent No. 2, who was married to petitioner No. 1. Petitioner Nos. 2 and 3 are the father and mother of petitioner No. 1, respectively, and petitioner No. 4 is his brother.

5. Petitioner No. 1 and respondent No. 2 were married on 06.11.2011 according to Hindu rites and customs. Differences arose during the subsistence of the marriage, as a result of which the parties have been residing separately since 24.05.2017. No child was born out of the said wedlock.

6. Subsequently, respondent No. 2 lodged a complaint before the Crime Against Women Cell against her husband (petitioner No. 1) and his family members, alleging that she was subjected to mental and physical cruelty on account of persistent demands for dowry. Pursuant thereto, the present FIR came to be registered on 06.06.2018.

7. During the pendency of the proceedings, the parties entered into a settlement and amicably resolved all their disputes vide Settlement Agreement dated 03.12.2018. In terms thereof, a sum of Rs. 4,00,000/- was agreed to be paid to respondent No. 2 in three instalments. Respondent No. 2 has categorically stated that she has received the entire settled amount.

8. Pursuant to the aforesaid settlement, the marriage between petitioner No. 1 and respondent No. 2 was dissolved by a decree of divorce by mutual consent passed by the learned Family Court on 18.07.2019.



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

10. In view of the settlement arrived at between the parties and the subsequent dissolution of marriage, the petitioners seek quashing of the impugned FIR and all consequential proceedings.

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 is essentially private in nature and no overriding public interest is involved.

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*

¹ (2012) 10 SCC 303.



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 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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

13. In the present case, the dispute arises out of a matrimonial relationship, which has already culminated in divorce by mutual consent. Respondent No. 2 has appeared before this Court and has affirmed the voluntary nature of the settlement. Applying the principles laid down by the Supreme Court, this Court is of the view that the continuation of the criminal proceedings is unlikely to result in conviction and would amount to an empty formality, unnecessarily burdening the justice delivery system.

14. In view of the foregoing discussion, the petition is allowed, and



FIR No. 497/2018 dated 06.06.2018, registered at Police Station Uttam Nagar, Delhi, under Sections 498A/406 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

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

16. The petition accordingly stands disposed of.

PRATEEK JALAN, J

JANUARY 22, 2026
dy/SD/

⁴ Emphasis supplied.