



2026:DHC:8647



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision : 01.10.2026

CNR No.DLHC010143302026

+ CRL.M.C. 2651/2026 & CrI.M.A.10756/2026

PRASHANT KUMAR AND OTHERS

.....Petitioners

Through: Mr. Sanjeet Kumar, Mr. Krishna
Pandey, Advs. for P-1.

versus

STATE OF NCT OF DELHI AND ANOTHERRespondents

Through: Mr. Sunil Sharma, Mr. Raghavendra
Gautam, Advs. for R2.**CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") seeking quashing of FIR No. 0359/2024 dated 06.08.2024 under Sections 498A/406/34 of the Indian Penal Code, 1860 ("IPC") registered at P.S. Harsh Vihar, Delhi, and all proceedings emanating therefrom. Upon completion of investigation, the chargesheet has been filed under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961.

2. The aforesaid FIR arose out of matrimonial disputes between petitioner no.1 and respondent no.2/complainant, whose marriage was solemnised on 01.12.2021 and who have been residing separately since 01.01.2023. Petitioner nos.2 to 6 are the family members/relatives of petitioner no.1.



3. It is submitted that the parties have resolved their *inter se* disputes by virtue of a Settlement Agreement, dated 26.12.2025, executed between the parties. The same was entered into pursuant to the mediation conducted under the aegis of the Delhi Mediation Centre, Karkardooma Courts, Delhi. A copy of the same has been placed on record as Annexure-B to the present petition.
4. In terms of the said settlement, petitioner no.1 agreed to pay a total sum of Rs. 11,10,000/- to respondent no.2 towards full and final settlement of all her claims.
5. 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 under Section 13B(2) of the Hindu Marriage Act, 1955, dated 13.02.2026, passed by the learned Judge, Family Court-01, Shahdara District, Karkardooma Courts, Delhi, in HMA No. 299/2026. A copy of the decree has been placed on record as Annexure-C.
6. The petitioners as well as respondent no.2 have been duly identified by the concerned Investigating Officer (I.O.).
7. Respondent no.2/complainant confirms that she has already received an amount of Rs. 7,00,000/- in terms of the said Settlement Agreement. A demand draft for Rs. 4,10,000/-, being the balance amount, has been handed over to respondent no.2/complainant during the course of the hearing today. She confirms receipt thereof and also confirms that upon encashment of the said demand draft, the settlement obligations due to her would stand fulfilled.
8. She further states that the settlement was entered into voluntarily, without any pressure or coercion, and that she has no objection to the



quashing of the FIR and the proceedings emanating therefrom against the petitioners.

9. Although the offences under Section 498A IPC and Section 4 of the DP Act are non-compoundable (the latter by virtue of Section 8(2) of the DP Act), it is well settled that the High Court, in exercise of its inherent power, preserved by Section 528 BNSS (corresponding to Section 482 of the Code of Criminal Procedure, 1973), may quash criminal proceedings arising out of matrimonial disputes where the parties have genuinely settled their disputes and the continuation of the proceedings would be an abuse of the process of the court, or where quashing would secure the ends of justice. Reference in this regard may be made to the decisions of the Supreme Court in **B.S. Joshi v. State of Haryana**, (2003) 4 SCC 675; **Gian Singh v. State of Punjab**, (2012) 10 SCC 303; and **Narinder Singh v. State of Punjab**, (2014) 6 SCC 466.

10. In the instant petition, this Court has taken due consideration of the nature of the allegations, and the terms and implementation of the settlement. The matrimonial relationship between petitioner no.1 and respondent no.2 has ended by way of a decree of divorce by mutual consent. The agreed payment has been made, and the complainant voluntarily seeks closure. In these circumstances, the continuation of the criminal proceedings would only result in protracted litigation without serving any useful purpose.

11. As such, applying the dicta laid down by the Supreme Court in **B.S. Joshi** (supra), **Gian Singh** (supra) and **Narinder Singh** (supra), FIR No. 0359/2024 dated 06.08.2024 under Sections 498A/406/34 IPC registered at P.S. Harsh Vihar, Delhi, and all proceedings emanating therefrom, including the chargesheet filed under Sections 498A/406/34 IPC and Section 4 of the



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DP Act, are quashed *qua* all the petitioners.

12. The petition is allowed and disposed of in the above terms. The pending application also stands disposed of.

SACHIN DATTA, J

OCTOBER 1, 2026/uk,sd

Signature Not Verified

Digitally Signed
By: ABHISHEK THAKUR
Signing Date: 01.10.2026
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