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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 06.10.2026

CNR No. DLHC010480632026

+ CRL.M.C. 7481/2026 & CRL.M.A. 31294/2026

VISHAL VERMA & ORS.

.....Petitioners

Through: Mr. Avinash Kumar Tyagi and Mr. Sachin Kumar, Advocates along with all petitioner-in-person.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Aashneet Singh, APP for the State along with SI Ashish Kumar, PS Nand Nagri.

Mr. Chaman Kumar, Mr. Akhil Sharma and Ms. Khushboo, Advocates for R2 along with R2 in person.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (Oral.)**

1. The present petition has been filed by the petitioners 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. 0571/2023 dated 06.09.2023, registered at Police Station Nand Nagri, North East District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ("IPC") (corresponding to Sections 85, 316(2) and 3(5), respectively, of the Bharatiya Nyaya Sanhita, 2023) and Section 4 of the Dowry Prohibition Act, 1961 ("DP Act"), together with all consequential

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proceedings arising therefrom.

2. Petitioner no.1 and respondent no.2 were married on 15th March, 2021 according to Hindu rites and ceremonies, and have been living separately since 5th December, 2022. No child was born out of the said wedlock. Matrimonial differences arose between them, which led to the registration of the aforesaid FIR on 06.09.2023 on the complaint of respondent no.2 against petitioner no.1 (her husband) and the other petitioners, who are petitioner no.1's mother, father, brother, paternal uncle, and paternal aunt along with her husband.

3. The said parties have entered into a settlement agreement dated 22.12.2025 in the mediation proceedings before the Delhi Mediation Centre, Karkardooma Courts, Delhi (Mediation Case No. L-8237/2025), pursuant to a reference made by the learned Judicial Magistrate First Class (Mahila Court-03), Shahdara, Karkardooma Courts, Delhi, in a complaint filed by respondent no.2 under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

4. In terms thereof, it was agreed that petitioner no.1 and respondent no.2 would dissolve their marriage by mutual consent under Section 13B of the Hindu Marriage Act, 1955 ("HMA"), and that petitioner no.1 would pay a sum of Rs.20,00,000/- to respondent no.2 as full and final settlement of her claims towards maintenance (past, present and future), *istridhan*, permanent alimony, jewellery etc., in three instalments of Rs.7,00,000/-, Rs.7,00,000/- and Rs.6,00,000/-, payable at the time of the first motion, the second motion and the quashing of the FIR, respectively. It was further agreed that the petitioners would seek quashing of the FIR and all proceedings arising therefrom, and that respondent no.2 would cooperate in the same.

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5. In terms of the settlement, the parties filed a joint petition for divorce by mutual consent under Section 13B of the HMA. The first motion was allowed on 19.01.2026 and the second motion petition (HMA No.1541/2026) was allowed by the learned Family Court-02, Shahdara District, Karkardooma Courts, Delhi, by judgment and decree dated 28.07.2026, whereby the marriage between petitioner no.1 and respondent no.2 was dissolved with effect from that date. The petition records payment of Rs.14,00,000/- to the respondent no.2 and the demand draft of Rs.6,00,000/- (remaining amount) has been handed over to her during the course of the hearing today. The complainant/respondent no.2 confirms the receipt thereof.

6. The complainant/respondent no.2, who is present in Court, submits that she has entered into the aforesaid settlement agreement out of her own free will and volition and without any undue influence. She has also filed an affidavit stating that she has no objection to the quashing of the FIR against the petitioners.

7. The petitioners and respondent no.2 undertake to remain bound by the terms of the aforesaid settlement agreement dated 22.12.2025.

8. It is also stated in the petition that petitioner no.1 and respondent no.2 have withdrawn their respective complaints, petitions and cases against each other, and that the present FIR is the only proceeding that remains pending between the parties.

9. This Court is conscious that the offences under Section 498A of IPC and Section 4 of the DP Act are non-compoundable, whereas the offence under Section 406 of IPC is compoundable by the owner of the property with the permission of the Court (Section 320(2) of the CrPC, now Section 359(2) of the BNSS). The settlement agreement itself notes that only the offence

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under Section 406 IPC is compoundable and that, for the remaining offences, the parties would approach the appropriate forum. However, the power of this Court under Section 528 of the BNSS (earlier Section 482 of the CrPC) to quash criminal proceedings is distinct from the power of compounding conferred on a court, and is not limited by it.

10. It is apposite to refer to the decision of the Supreme Court in **Gian Singh v. State of Punjab**, (2012) 10 SCC 303, wherein it has been held that criminal proceedings arising out of matrimony or family disputes, where the wrong is private or personal in nature and the parties have resolved their entire dispute, stand on a different footing for the purposes of quashing. The relevant extract reads as under:

“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



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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.”

11. The said principles were reiterated by the Supreme Court in **Narinder Singh v. State of Punjab**, (2014) 6 SCC 466, wherein it has been held 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



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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 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.

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12. Specifically in the context of matrimonial disputes, the Supreme Court in **Jitendra Raghuwanshi v. Babita Raghuwanshi**, (2013) 4 SCC 58, has held as under:

“14. The inherent powers of the High Court under Section 482 of the Code are wide and unfettered. In *B.S. Joshi* [(2003) 4 SCC 675



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: 2003 SCC (Cri) 848], this Court has upheld the powers of the High Court under Section 482 to quash criminal proceedings where dispute is of a private nature and a compromise is entered into between the parties who are willing to settle their differences amicably. We are satisfied that the said decision is directly applicable to the case on hand and the High Court ought to have quashed the criminal proceedings by accepting the settlement arrived at.

15. In our view, it is the duty of the courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase. Even if the offences are non-compoundable, if they relate to matrimonial disputes and the Court is satisfied that the parties have settled the same amicably and without any pressure, we hold that for the purpose of securing ends of justice, Section 320 of the Code would not be a bar to the exercise of power of quashing of FIR, complaint or the subsequent criminal proceedings.”

13. Although the offences under Section 498A of the IPC (Section 85 of the BNS) and Section 4 of the DP Act are non-compoundable, the aforesaid principles apply with equal force to the exercise of the inherent power under Section 528 of the BNSS, which corresponds to Section 482 of the CrPC. In the present case, the FIR arises out of a matrimonial relationship and is essentially private in nature; the offences alleged do not fall in the category of heinous and serious offences of mental depravity, or offences like murder, rape or dacoity. The parties have amicably resolved all their disputes in terms of the settlement agreement dated 22.12.2025; the other *inter se* proceedings stand withdrawn; the marriage stands dissolved by a decree of divorce by mutual consent, and there is no issue from the marriage; the entire settlement amount of Rs.20,00,000/-stands paid; and respondent no.2, who is present in Court, has confirmed the settlement and the receipt of the amount, and has



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also filed an affidavit of no objection. The proceedings are at the stage of arguments on charge, no prosecution witness has been examined, and it is stated that petitioner nos.5 to 7 have not even been charge-sheeted. In such circumstances, the possibility of conviction is remote and bleak.

14. In the circumstances, the settlement agreement between the parties provides a cogent basis for quashing the aforementioned FIR. The prosecution arises out of private matrimonial disputes, which the parties have voluntarily resolved. The performance of the financial and other settlement obligations together with the complainant/respondent no.2's consent, supports the conclusion that the continuation of the prosecution would serve no fruitful purpose.

15. Accordingly, in view of the joint request of the parties, and considering the law laid down in the aforesaid judgments, the present petition is allowed and FIR No. 0571/2023 dated 06.09.2023, registered at P.S. Nand Nagri, under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961, together with all consequential proceedings arising therefrom, *qua* all the petitioners, stands quashed.

16. The present petition, along with CRL.M.A. 31294/2026, and all other pending application(s), if any, stands disposed of in the above terms.

SACHIN DATTA, J

OCTOBER 6, 2026/at/sd

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