



2026:DHC:8881



\$~67

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 05th October, 2026**# **CNR No. DLHC010478382026**+ **CRL.M.C. 7443/2026 & CRL.M.A. 31172/2026****GOUTAM DEY & ORS.**

.....Petitioners

Through: Mr. Kanishk Kharbanda, Advocate.
(M): 9999457850
Email:
Kanishk.kharbanda20@gmail.com

versus

STATE GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State.
(M): 9810442918
9968257999
Email: nawalkishorejha@live.com
Ms. Shweta Verma with Mr. Rajesh
Sharda, Advocates for respondent no.
2 with Ms. Shikha, respondent no. 2
in person.
(M): 9953977642
Email: shwetaverma105v@gmail.com
SI Akash Singh, PS Laxmi Nagar.

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral):**

1. The present petition has been filed under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 ("BNSS")/Section 482 of the Code of
Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First



2026:DHC:8881



Information Report (“FIR”) being *FIR No. 557/2021*, dated 27th September, 2021, registered at Police Station (“PS”) Laxmi Nagar, East, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 (“IPC”), and all consequential proceedings emanating therefrom, on the ground of settlement between the parties.

2. Issue notice.
3. Notice is accepted by learned Additional Public Prosecutor (“APP”) for the State, as well as learned counsel appearing for respondent no. 2.
4. The captioned petition is taken up for disposal with the consent of the parties.
5. The marriage between petitioner no. 1 and respondent no. 2 was solemnized on 21st April, 2019. However, owing to matrimonial discord, the parties have been residing separately from 03rd September, 2020.
6. The FIR in question came to be registered on 27th September, 2021, pursuant to a written complaint made by respondent no. 2, i.e., the complainant, to the Crime Against Women (“CAW”) Cell, District East, Delhi. Subsequently, a Chargesheet also came to be filed against the petitioners by the Investigating Officer (“IO”).
7. During the pendency of proceedings, the parties amicably resolved their disputes *vide* Mediation Settlement dated 08th August, 2025, arrived at between the parties before the Delhi Mediation Centre, Tis Hazari Courts, Delhi.
8. By way of the said Mediation Settlement, petitioner no. 1 and respondent no. 2 agreed to obtain a decree of divorce by mutual consent, and further to a full and final settlement of Rs. 4,50,000/-, which was to be paid by petitioner no. 1 to respondent no. 2.



2026:DHC:8881



9. Further, *vide* the said Mediation Settlement the parties agreed to cooperate with each other in quashing of the FIR in question.
10. The parties, i.e., petitioners as well as respondent no. 2, are identified by their respective counsels as well as the IO, who is present in Court.
11. Learned counsels appearing for the petitioners as well as respondent no. 2 jointly submit that the parties have arrived at a Mediation Settlement dated 08th August, 2025, and therefore, pray that the FIR in the question be quashed.
12. As per the terms of the said Mediation Settlement, a sum of Rs. 4,50,000/- was payable to respondent no. 2.
13. This Court is informed that a sum of Rs. 2,00,000/- was paid at the time of first motion and Rs. 1,00,000/- at the time of second motion.
14. A Demand Draft for a sum of Rs. 1,50,000/- has been handed over to the respondent no. 2 by the petitioners, which has been duly accepted by respondent no. 2.
15. This Court has interacted with the respondent no. 2, who submits that she does not wish to pursue the matter any further.
16. This Court is informed that the parties have already withdrawn all the cases against each other and have been living separately since 03rd September, 2020. Further, the marriage between petitioner no. 1 and respondent no. 2 already stands dissolved, as they have obtained a decree of divorce by mutual consent.
17. In light of the aforesaid, the parties seek quashing of the impugned FIR.
18. Learned APP for the State submits that in the facts and circumstances of the case, they have no objection to the present petition.



19. Having heard the learned counsels appearing for the parties as well as respondent no. 2, this Court notes that the matter has been finally settled between the petitioners and respondent no. 2.

20. The Supreme Court has held that under Section 528 of the BNSS, High Courts may quash criminal proceedings, even with respect to non-compoundable offences, if the concerned parties have arrived at a compromise or settlement, and particularly when no overarching public interest is adversely affected by quashing the same.

21. In *Jitendra Raghuvanshi and Others Versus Babita Raghuvanshi and Another*, (2013) 4 SCC 58, the Supreme Court has held that the High Courts are empowered to quash an FIR in case of matrimonial disputes in order to foster genuine settlements, even when the offences involved are non-compoundable in nature. The relevant portion of the said judgment reads as under:

“xxx xxx xxx

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 : 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



2026:DHC:8881



would not be a bar to the exercise of power of quashing of FIR, complaint or the subsequent criminal proceedings.

xxx xxx xxx”

(Emphasis Supplied)

22. Considering the submissions made before this Court, *FIR No. 557/2021*, dated 27th September, 2021, registered at PS Laxmi Nagar, East, Delhi, under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom are hereby quashed.

23. The present petition is allowed and disposed of along with the pending applications in the aforesaid terms.

MINI PUSHKARNA, J

OCTOBER 5, 2026/c