



2026:DHC:9220



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 07<sup>th</sup> October, 2026**# **CNR No. DLHC010459652026**+ **CRL.M.C. 7182/2026 & CRL.M.A. 30023/2026****NEERAJ CHAUHAN AND ORS.** .....Petitioners

Through: Mr. Sanjay Kumar Chhikara and Ms. Pragya, Advs., along with petitioners in person

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versus

**STATE NCT OF DELHI AND ANR.** .....Respondents

Through: Mr. Ritesh Kumar Bahri, APP for the State

Mob: 8920515685

Mr. Rahul, SI, PS Mangalpuri

Mr. Neeraj Kadyan, Adv. for R-2, along with R-2 in person

Mob: 9599444815

Email: [nrjkadyan007@gmail.com](mailto:nrjkadyan007@gmail.com)**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"), seeking quashing of the First Information Report ("FIR") being *FIR No. 577/2016* dated 27<sup>th</sup> April, 2016, registered under Sections 489A/406/34 of the Indian Penal Code, 1860 ("IPC"), at Police Station ("PS") Mangol Puri, Outer District, Delhi, and all consequential proceedings emanating therefrom.



2. Issue notice.
3. Notice is accepted by the learned Additional Public Prosecutor (“APP”) for the State and by learned counsel appearing for respondent no. 2.
4. The petitioners and respondent no. 2 are present in person before this Court and are identified by their respective counsels and the concerned Investigating Officer (“IO”).
5. The captioned petition is taken up for disposal with the consent of the parties.
6. At the outset, it is noted that respondent no. 2 is the wife of petitioner no. 1. Petitioner no. 2 is the mother of petitioner no. 1 while petitioner nos. 3 and 5 are his brother and sister, respectively. Petitioner no. 4 is the wife of petitioner no. 3.
7. The marriage between petitioner no. 1 and respondent no. 2 was solemnised on 28<sup>th</sup> November, 2014, as per Hindu rites and ceremonies. However, due to matrimonial discord and temperamental differences between the parties, they started living separately since 12<sup>th</sup> February, 2015. One female child was born out of the wedlock in 2015.
8. Thereafter, respondent no. 2 lodged a formal complaint before the Crime against Women Cell (“CAW”) and the same culminated into the registration of the impugned FIR.
9. Subsequently, upon completion of the investigation, a Chargesheet came to be filed by the IO in October, 2016, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, 1961 (“DP Act”).
10. It is noted that with the intervention of common friends and relatives, petitioner no. 1 and respondent no. 2 resolved all their disputes and arrived at an amicable settlement on 11<sup>th</sup> June, 2018. However, due to renewed



temperamental differences, respondent no. 2 again left the matrimonial home on 14<sup>th</sup> December, 2019, and has been residing separately since then.

11. Today, this Court has been informed that the parties have arrived at a Settlement Agreement on 17<sup>th</sup> May, 2024, before the Delhi Mediation Centre, Rohini District Courts, Delhi. The said agreement further came to be recorded by the Mediator *vide* order dated 19<sup>th</sup> August, 2024, before the Mediation Centre, Rohini Courts, Delhi.

12. It has further been informed that pursuant to the Settlement Agreement, the marriage between the petitioner no. 1 and respondent no. 2 stands dissolved by way of decree dated 06<sup>th</sup> May, 2025, passed in *HMA 30/2025* by the Family Court, North West, Rohini, Delhi.

13. It is submitted that as per the terms of the settlement, a sum of Rs. 5,00,000/- is payable by petitioner no. 1 to respondent no. 2.

14. This Court has interacted with respondent no. 2 who submits that with the indulgence of well-wishers and family members, the parties have amicably settled all their disputes and arrived at a Settlement Agreement, out of their own free will and consent and without any fear or coercion. She further confirms the fact that she has received a sum of Rs. 5,00,000/- from petitioner no. 1. She, thus, submits that she does not wish to pursue the present matter any further and has no objection if the present petition is allowed.

15. Learned APP for the State submits that in view of the nature of the disputes between the parties, and the settlement arrived at subsequently, the State has no serious objection to the present petition.

16. He further submits that the minor daughter is in custody of respondent no. 2 and that her rights be preserved and secured.



17. This Court notes that despite certain offences being classified as non-compoundable under the IPC, in exercise of powers conferred under Section 482 of the Code of Criminal Procedure, 1973 (“CrPC”), corresponding to Section 528 of the BNSS, High Courts have proceeded to quash such proceedings on account of a settlement between the parties. In ***Gian Singh Versus State of Punjab and Another (2012) 10 SCC 303***, the Court recognized that such an approach serves the ends of justice by bringing the litigation to an end and preventing its needless continuation when the likelihood of conviction has become remote and bleak on account of a compromise.

18. In this regard, attention may further be afforded to the decision of the Supreme Court in the case of ***Jitender Raghuvanshi and Others Versus Babita Raghuvanshi and Another, (2013) 4 SCC 58***, whereby, it has been held as under:

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**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**



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

*16. There has been an outburst of matrimonial disputes in recent times. The institution of marriage occupies an important place and it has an important role to play in the society. Therefore, every effort should be made in the interest of the individuals in order to enable them to settle down in life and live peacefully. If the parties ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law, in order to do complete justice in the matrimonial matters, the courts should be less hesitant in exercising their extraordinary jurisdiction. It is trite to state that the power under Section 482 should be exercised sparingly and with circumspection only when the Court is convinced, on the basis of material on record, that allowing the proceedings to continue would be an abuse of process of court or that the ends of justice require that the proceedings ought to be quashed. We also make it clear that exercise of such power would depend upon the facts and circumstances of each case and it has to be exercised in appropriate cases in order to do real and substantial justice for the administration of which alone the courts exist. It is the duty of the courts to encourage genuine settlements of matrimonial disputes and Section 482 of the Code enables the High Court and Article 142 of the Constitution enables this Court to pass such orders.*

*17. In the light of the above discussion, we hold that the High Court in exercise of its inherent powers can quash the criminal proceedings or FIR or complaint in appropriate cases in order to meet the ends of justice and Section 320 of the Code does not limit or affect the powers of the High Court under Section 482 of the Code. Under these circumstances, we set aside the impugned judgment of the High Court dated 4-7-2012 passed in Rajendra Singh Raghuvanshi v. Aarkshi Kendra Police Mahila Thana [ Misc. Criminal Case No. 2877 of 2012, decided on 4-7-2012 (MP)] and quash the proceedings in Criminal Case No. 4166 of 2011 pending on the file of the Judicial Magistrate Class I, Indore.*

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(Emphasis Supplied)



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19. The present dispute between the parties stems from their marriage, which has since been dissolved by divorce under their personal laws. Having regard to the parameters laid down by the Supreme Court, and given that respondent no. 2 has categorically stated before this Court, without ambiguity, that the settlement was arrived at of her own free will, this Court finds no reason to doubt its voluntariness.

20. Further, in light of the same, this Court is of the view that there is little likelihood of the criminal proceedings ending in conviction. In fact, their continuation would be an empty formality, serving only to add to the burden on the justice system and to consume public resources needlessly.

21. Having heard learned counsels for the parties and considering the nature of the dispute between the parties and the Settlement Agreement, this Court finds no impediment in allowing the present petition.

22. Accordingly, *FIR No. 577/2016* dated 27<sup>th</sup> April, 2016, registered at PS Mangol Puri, Outer District, Delhi, along with all consequential proceedings emanating therefrom, is hereby quashed.

23. The parties shall remain bound by the terms of the Settlement Agreement dated 17<sup>th</sup> May, 2024.

24. It is clarified that the rights of the minor daughter whose custody is with respondent no. 2, shall remain open.

25. With the aforesaid direction, the present petition, along with the pending application, is accordingly disposed of.

**MINI PUSHKARNA, J**

**OCTOBER 7, 2026/SK**