



2026:DHC:9053



\$~79

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 12th October, 2026**# **CNR No. DLHC010491652026**+ **CRL.M.C. 7668/2026 & CRL.M.A. 31999/2026****JITENDER & ORS.**

.....Petitioners

Through: Mr. Rishi Kant Mishra with
Mr. Yogesh Latha and Ms. Richa
Kapoor, Advocates with petitioner
nos. 1 to 5 in person.
(M): 9268403018

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP with
Mr. Siddharth Shankar Jha and Ms.
Kalpana Jha, Advocates for the
State.
(M): 9810442918
9968257999
Email: nawalkishorejha@live.com
Mr. Shubham Nagpal with Mr. Vishal
Yadav and Mr. Nihit Kumar,
Advocates for respondent no. 2.
SI Narender Kumar, PS Tughlak
Road.
ASI Ram Niwas, PS K. Marg, District
Rohini.
(M): 9868663401

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



2026:DHC:9053



Information Report (“FIR”), being *FIR No. 0402/2021*, dated 18th September, 2021, registered at Police Station (“PS”) K.N Katju Marg, North, Delhi, under Sections 498A/306/34 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 the learned Additional Public Prosecutor (“APP”) for the State as well as by the learned counsel appearing for respondent no. 2.

4. The parties, i.e., the petitioners as well as respondent no. 2 are present before this Court, and are duly identified by their respective counsels as well as the Investigating Officer (“IO”), who is also present before this Court.

5. The captioned petition is taken up for disposal with the consent of the parties.

6. The relevant facts for the adjudication of the captioned petition, culled out from the documents on record, are as follows:

6.1. The marriage between petitioner no. 1 and respondent no. 2 was solemnised on 11th November, 2026. However, owing to matrimonial discord, the parties started residing separately from 10th January, 2017. Further, there is no issue born out of the said wedlock.

6.2. The FIR in question came to be registered pursuant to a written complaint by respondent no. 2, i.e., the complainant, addressed to the Crime Against Women (“CAW”) Cell, Sector – 3, Rohini, Delhi.

6.3. In the said complaint the complainant has alleged mental and physical harassment by the petitioners *qua* demands for dowry.

6.4. During the pendency of proceedings, the parties amicably resolved all their disputes *vide* Deed of Settlement/Memorandum of Settlement dated 21st



2026:DHC:9053



August, 2026 (“Settlement Deed”), whereby, petitioner no. 1 and respondent no. 2 agreed to dissolution of their marriage by way of mutual consent.

6.5. By way of the said Settlement Deed, the parties agreed to payment of Rs. 5,00,000/- by petitioner no. 1 to respondent no. 2, as full and final settlement of all claims of respondent no. 2 *qua* maintenance, stridhan and permanent alimony.

6.6. Further, *vide* the said Settlement Deed, the parties agreed to cooperate with each other in quashing the FIR in question.

7. Both the parties jointly submit that the parties have already settled the matter *vide* Settlement Deed dated 21st August, 2026.

8. As per the terms of the said Settlement Deed, petitioner no. 1 is required to pay a sum of Rs. 5,00,000/- to respondent no. 2.

9. This Court is informed that a sum of Rs. 3,00,000/- has already been paid to respondent no. 2, and a sum of Rs. 2,00,000/- is now due and payable.

10. A Demand Draft for a sum of Rs. 2,00,000/- has been handed over by the petitioners to respondent no. 2, before this Court, which has been duly accepted by respondent no. 2.

11. This Court has interacted with respondent no. 2, who reiterates that the Settlement Deed dated 21st August, 2026, has been arrived at between the parties, and she has received the full amount in terms of the said Settlement Deed.

12. She further submits that she does not wish to pursue the present matter any further.

13. This Court is further informed that petitioner no. 1 and respondent no. 2 have already obtained divorce by mutual consent *vide* judgment dated 21st April, 2026, in *HMA 681/2026*, passed by the Principal Judge Family Court,



North District, Rohini Courts, Delhi. Furthermore, no child was born from the wedlock between petitioner no. 1 and respondent no. 2.

14. In light of the aforesaid, the parties seek quashing of the FIR in question.

15. Learned APP for the State submits that the State has no serious objection to quashing of the FIR in question.

16. Having heard the learned counsels appearing for the parties, this Court notes that the present matter has been finally settled between the parties.

17. It is no longer *res-integra* that this Court has the power to quash the criminal proceedings in cases of non-compoundable offences under the Code of Criminal Procedure Code, 1973 (“CrPC”), i.e., now the BNSS, wherein, the parties have settled the matter between themselves.

18. 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.

19. 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 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)

20. Accordingly, considering the submissions made before this Court, *FIR No. 0402/2021* dated 18th September, 2021, registered at PS K.N Katju Marg, North, Delhi, under Sections 498A/306/34 of the IPC, and all consequential proceedings emanating therefrom are hereby quashed.

21. The present petition is disposed of in the aforesaid terms.

22. The pending application also stands disposed of.

MINI PUSHKARNA, J

OCTOBER 12, 2026

c