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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13th October, 2026**# **CNR No. DLHC010494942026**+ **CRL.M.C. 7727/2026 & CRL.M.A. 32216/2026****DIWAKER SAINI & ORS.**

.....Petitioners

Through: Mr. Pradeep Kr. Saini, Advocate with
petitioner nos. 1 to 6 in person.
(M): 8800639800
Email: pkasac007@yahoo.co.in

versus

GOVT OF NCT OF DELHI & 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. Ved Parkash Verma, Advocate
for respondent no. 2 along with
respondent no. 2 in person.
(M): 9818679003
Email:
vedprakash.verma@gmail.com
SI Rajesh Chauhan, PS Palam
Village.

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. 414/2024*, dated 26th July, 2024, registered at Police Station ("PS") Palam Village, South West, Delhi, under



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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 18th July, 2021. However, owing to matrimonial discord, the parties started residing separately from 02nd January, 2023. Further, there is no issue born out of the said wedlock.

6.2. The present FIR 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, South West, Delhi Cantt, Delhi.

6.3. In the said complaint, the complainant has alleged cruelty, criminal breach of trust, 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* Mediation Settlement dated 01st April, 2026, arrived at



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before the Delhi Mediation Centre, Dwarka Courts, Delhi, 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 Mediation Settlement, the parties agreed to payment of Rs. 04,00,000/- (Rupees Four Lacs only) by petitioner no. 1 to respondent no. 2, as full and final settlement of all claims of respondent no. 2 as regards the maintenance, stridhan and permanent alimony *qua* the marriage between petitioner no. 1 and respondent no. 2.

6.6. Further, *vide* the said Mediation Settlement, the parties agreed to cooperate with each other in quashing of the present FIR.

7. Learned counsels appearing for the parties jointly submit that the parties have already settled all their disputes *vide* Mediation Settlement dated 01st April, 2026, arrived at before the Delhi Mediation Centre, Dwarka Courts, Delhi.

8. Learned counsel appearing for the petitioner submits that as per the terms of the said Mediation Settlement, petitioner no. 1 was required to pay a sum of Rs. 04,00,000/- (Rupees Four Lacs only).

9. He submits that out of Rs. 04,00,000/- (Rupees Four Lacs only), only Rs. 01,50,000/- (Rupees One Lac Fifty Thousand only) remains to be paid to respondent no. 2.

10. A Demand Draft for a sum of Rs. 01,50,000/- (Rupees One Lac Fifty Thousand only) has been handed over by the petitioners to respondent no. 2, before this Court, which has been duly accepted by her.

11. This Court has interacted with respondent no. 2, who submits that she has entered into Mediation Settlement dated 01st April, 2026, out of her own will and volition. She further reaffirms the fact that she has received the full amount in terms of the said Mediation Settlement and does not wish to



pursue the present matter any further.

12. This Court is informed that petitioner no. 1 and respondent no. 2 have already obtained divorce by way of mutual consent *vide* decree dated 30th May, 2026, in *HMA 1778/2026*, passed by Family Court - 01, South – West, New Delhi.

13. In light of the aforesaid, the parties seek quashing of the present FIR.

14. Learned APP for the State submits that in view of the nature of the dispute, the State has no serious objection to the captioned petition.

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

16. 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.

17. 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.

18. 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)

19. Accordingly, considering the submissions made before this Court, the FIR No. 414/2024, dated 26th July, 2024, registered at PS Palam Village, South West, Delhi, under Sections 498A/306/34 of the IPC, and all consequential proceedings emanating therefrom, are quashed.

20. The present petition along with the pending application is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 13, 2026

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