



2026:DHC:9132



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13th October, 2026**# **CNR No. DLHC010495012026**+ **W.P.(CRL) 3240/2026 & CRL.M.A. 32227/2026****AKSHAT JAIN & ORS.****.....Petitioners**

Through: Mr. Deepak Singh Thakur, Advocate.
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versus

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

Through: Mr. Anand V Khatri, ASC for the
State with ASI Kailash, SI Ashok, PS
Anand Vihar.
(M): 9958897511
9911409381
Email:
kailashsharmatappal@gmail.com
Mr. C.M. Grover, Advocate for
respondent no. 2 with respondent no.
2 in person.
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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") read with Article 226 of the Constitution of India, 1950 ("Constitution"), seeking quashing of the First



2026:DHC:9132



Information Report (“FIR”), being *FIR No. 0250/2022*, dated 11th May, 2022, registered at Police Station (“PS”) Anand Vihar, Shahdara, 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 Standing Counsel (“ASC”) 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 25th February, 2015, however, due to matrimonial discord, the said parties have been residing separately from 25th January, 2020. Further, there is no issue born out of the said wedlock.

6.2. The present FIR came to be registered on 11th May, 2020, pursuant to a written complaint by respondent no. 2, i.e., the complainant, to the Station House Officer (“SHO”), PS Anand Vihar, Shahdara, Delhi.

6.3. In the said complaint, respondent no. 2 alleged cruelty, criminal breach of trust, mental and physical harassment committed upon her by the petitioners.



2026:DHC:9132



6.4. During the pendency of proceedings, the parties amicably resolved all their disputes *vide* Settlement Deed dated 23rd October, 2024, arrived at before the Counselling Cell, Family Court, Karkardooma, Shahdara, 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 Settlement, the parties agreed to payment of Rs. 30,00,000/- (Rupees Thirty Lacs only) by petitioner no. 1 to respondent no. 2, as full and final settlement of all claims of respondent no. 2 as regards maintenance, stridhan and permanent alimony *qua* the marriage between petitioner no. 1 and respondent no. 2.

6.6. *Vide* the said Settlement Deed, the parties agreed to cooperate in quashing the present FIR.

7. Learned counsels appearing for the parties submit that the parties have already settled all their disputes *vide* Settlement Deed dated 23rd October, 2024, arrived before the Counselling Cell, Family Court, Karkardooma, Shahdara, Delhi.

8. This Court is informed that as per the terms of the said Settlement Deed, a sum of Rs. 30,00,000/- (Rupees Thirty Lacs only) is payable by petitioner no. 1 to respondent no. 2. Out of the aforesaid sum, Rs. 20,00,000/- (Rupees Twenty Lacs only) already stands paid to respondent no. 2.

9. A Demand Draft for Rs. 10,00,000/- (Rupees Ten Lacs only) has been paid to respondent no. 2, which has duly been accepted by respondent no. 2.

10. This Court has interacted with respondent no. 2, who reiterates and reaffirms that she has entered into the Settlement Deed dated 23rd October, 2024, out of her own free will without any coercion or force.

11. She further submits that she has already received the sum of Rs.



2026:DHC:9132



30,00,000/- (Rupees Thirty Lacs only) in terms of the said Settlement Deed and she 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 mutual consent *vide* judgment dated 24th April, 2025, in *HMA 647/2025*, passed by Family Court-1, Shahdara District, Karkardooma Courts, Delhi.

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

14. Learned ASC for the State submits that the State has no serious objection in view of the terms of the Settlement Deed dated 23rd October, 2024.

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 facts and circumstances of the present case and the submissions made before this Court, the *FIR No. 0250/2022*, dated 11th May, 2022, registered at PS Anand Vihar, Shahdara, Delhi, under Sections 498A/306/34 of the IPC, and all consequential proceedings emanating therefrom, are hereby quashed.

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

MINI PUSHKARNA, J

OCTOBER 13, 2026/c