



2026:DHC:9294



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 14th October, 2026**# **CNR No. DLHC010498602026**+ **CRL.M.C. 7804/2026 & CRL.M.A. 32539/2026****KANIHYA LAL & ORS.**

.....Petitioners

Through: Mr. Mohd. Hamza with
Mr. Himanshu Yogi, Mr. Bharat, Mr.
Jitendra Kumar, Mr. Pritam Kumar
Rahi, Mr. Jitender Yadav and Mr.
Bhim Pratap Singh, Advocates.
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versus

STATE GOVT. OF 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
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Ms. Chinki Guliya, Advocate for
respondent no. 2.
SI Ankit Kumar, PS Jahangir Puri.
(M): 8586923012

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

1. The present petition has been filed under Section 528 of the Bharatiya

Signature Not Verified

Digitally Signed
By: HARIOM SHARMA
Signing Date: 15.10.2026
21:14:18



Nagarik Suraksha Sanhita, 2023 (“BNSS”), corresponding to Section 482 of the Code of Criminal Procedure, 1973 (“CrPC”), seeking quashing of the First Information Report (“FIR”) being *FIR No. 1098/2021* dated 28th December, 2021, registered at Police Station (“PS”) Jahangir Puri, North West District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 (“IPC”), on the ground of settlement.

2. Issue notice. Notice is accepted by learned Additional Public Prosecutor (“APP”) appearing for the State, i.e., respondent no. 1, as well as by learned counsel appearing for respondent no. 2.

3. The petitioners and respondent no. 2 are present before this Court, and are duly identified by their respective counsels as well as the IO, who is also present before this Court.

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

5. As per the material on record, the relevant facts for adjudication of the captioned petition are as under:

5.1. The marriage between petitioner no. 1 and respondent no. 2 was solemnized on 11th December, 2019, however, due to temperamental differences, they started living separately from 28th August, 2020.

5.2. *FIR No. 1098/2021* came to be registered after a complaint was made by respondent no. 2 to the Crime Against Women (“CAW”) Cell, Delhi, against petitioner no. 1 and his family members, namely, petitioner no. 2 is her father-in-law; petitioner no. 3 is her mother-in-law; and petitioner no. 4 is her sister-in-law.

5.3. Respondent no. 2 has alleged, *inter alia*, that the petitioners harassed and threatened her on multiple occasions in connection with demands for



dowry.

6. The petitioners and respondent no. 2 jointly submit that they have resolved all their disputes, as petitioner no. 1 and respondent no. 2 have executed a Memorandum of Understanding (“MoU”) dated 25th March, 2026, before the Rohini Courts, Delhi.

7. This Court is informed that as per the terms of the aforesaid MoU, petitioner no. 1 is required to pay a sum of Rs. 1,00,000/- to respondent no. 2, by way of three instalments.

8. A sum of Rs. 60,000/- has already been paid to respondent no. 2 by petitioner no. 1. A Demand Draft in the sum of Rs. 40,000/- has been paid today to respondent no. 2, which has been duly accepted by her.

9. Upon interaction with respondent no. 2, she submits that she has settled the matter and does not wish to pursue the present proceedings any further.

10. This Court is informed that no child was born out of the wedlock between petitioner no. 1 and respondent no. 2.

11. This Court is further informed that the marriage between petitioner no. 1 and respondent no. 2 already stands dissolved, as they have obtained a decree of divorce by mutual consent dated 29th July, 2026, passed by the Family Court, North District, Rohini Courts, Delhi, in *HMA 1300/2026*.

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

13. Learned APP for the State submits that in view of the nature of the dispute and the fact that the parties have settled their disputes, the State has no objection to the present petition.

14. Having heard learned counsels appearing for the parties, this Court notes that the parties have arrived at a settlement in respect of the present matter.



15. It is well settled that High Courts may exercise their inherent powers under Section 528 of the BNSS, corresponding to Section 482 of the CrPC, to 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.

16. In *Jitendra Raghuvanshi and Others Versus Babita Raghuvanshi and Another*, (2013) 4 SCC 58, the Supreme Court has held that High Courts are empowered to quash an FIR in cases pertaining to 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)



17. Similarly, in ***Rangappa Javoor Versus State of Karnataka and Another, 2023 SCC OnLine SC 1736***, the Supreme Court has held as under:

“xxx xxx xxx

8. It is apparent that the parties have resolved and settled their disputes. In the facts of the case, we do not feel that any useful purpose would be served by continuation of the prosecution. The appellant - Rangappa Javoor, who is an officer in the Border Security Force and as per the job requirement, has to serve in different parts of the country, would be put to harassment. This court has held that in cases of offences relating to matrimonial disputes, if the Court is satisfied that the parties have genuinely settled the disputes amicably, then for the purpose of securing ends of justice, criminal proceedings inter-se parties can be quashed by exercising the powers under Article 142 of the Constitution of India or even under Section 482 of Criminal Procedure Code, 1973.

xxx xxx xxx”

(Emphasis Supplied)

18. Accordingly, considering the facts and circumstances of the present case, *FIR No. 1098/2021* dated 28th December, 2021, registered at Police Station PS Jahangir Puri, North West District, Delhi, under Sections 498A/406/34 of the IPC, and all the proceedings emanating therefrom, are hereby quashed.

19. The present petition, along with the pending application, is disposed of in the aforesaid terms.

MINI PUSHKARNA, J

OCTOBER 14, 2026

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