



2026:DHC:8398



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision: 25th September, 2026**

CNR No. DLHC010462942026

+ CRL.M.C. 7231/2026, CRL.M.A. 30189/2026 & CRL.M.A.
30189/2026

SH RAM SAGAR KUMAR & ORS.

.....Petitioners

Through: Mr. Abhishek Shrivastav, Adv.

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versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Ms. Reena Singh and Ms. Sejal Geol,

Adv. with R-2 in person

M: 9818523241

Email: singh.reenal@gmail.com

SI Deepali, PS Rajouri Garden

Mr. Ajay Vikram Singh, APP

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"), corresponding to Section 482 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of *FIR* 448/2022 dated 27th June 2022, registered at Police Station ("PS") Rajouri Garden, West District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 ("IPC"), and all further proceedings emanating therefrom, on the ground of settlement.



2. A Chargesheet has been filed by the concerned Investigating Officer (“IO”) in connection with the aforesaid FIR.
3. 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, who is present before this Court.
4. The brief facts necessitating filing of the present petition, as culled out from the documents on record, are as follows:
 - 4.1 Respondent no. 2 and petitioner no. 1 were married on 22nd February, 2015.
 - 4.2 On 27th June, 2022, *FIR 448/2022* was registered based on a complaint by respondent no. 2 against petitioner no. 1 and his family members, namely, her father-in-law, petitioner no. 2; her brother-in-law, petitioner no. 3; and her mother-in-law, petitioner no. 4.
 - 4.3 Respondent no. 2 alleged that pursuant to demands raised by her in-laws, her father, *inter alia*, paid Rs. 4,34,500/- towards the purchase of a WagonR car and Rs. 8,51,000/- towards the purchase of land in her name. She further alleges that while the car was purchased using the funds provided by her father, it was used by her brother-in-law, and no land was purchased in her name.
 - 4.4 She further alleged that she had been subjected to continuous physical and mental cruelty by her husband and in-laws on account of dowry demands. Her allegations also included the retention of her jewellery and her being repeatedly sent to her parental home until her father fulfilled their monetary demands.
5. Learned counsel appearing for the petitioners submits that the



petitioners and respondent no. 2 have amicably settled their dispute in terms of a Settlement dated 17th December, 2025, arrived at before the Delhi Mediation Centre, Tis Hazari Courts, Delhi.

6. The said Settlement recorded, *inter alia*, that petitioner no. 1 and respondent no. 2 had resolved their misunderstandings and decided to live together at their matrimonial home at Bakhtiarapur, Patna, Bihar, with effect from 19th December, 2025. It was further agreed that petitioner no. 1 would pay Rs. 5,000/- per month to respondent no. 2 from December, 2025, and that respondent no. 2 would cooperate in quashing of *FIR 448/2022* before this Court.

7. Learned counsel appearing for the petitioners submits that petitioner no. 1 and respondent no. 2 are now happily living together.

8. Learned counsel appearing for respondent no. 2 is present before this Court along with respondent no. 2, who confirms the fact that respondent no. 2 is living with petitioner no. 1 at his residence.

9. Respondent no. 2 further submits that she does not wish to pursue the present matter any further.

10. This Court has also interacted with respondent no. 2, who confirms the fact that she is now living happily and peacefully along with her husband in her matrimonial residence.

11. Learned APP appearing for the State submits that he has no objection if the present petition is allowed, in view of the settlement between the parties.

12. In respect of the aforesaid FIR, this Court notes that the offence under Section 406 of the IPC is compoundable, while the offence under Section 498A of the IPC is non-compoundable.



13. The Supreme Court has held that High Courts, exercising powers under Section 528 of the BNSS, may quash criminal proceedings, even for non-compoundable offences, if the concerned parties have arrived at a compromise, and particularly when no overarching public interest is adversely affected by quashing the same.

14. The Supreme Court in the case of ***Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303***, has held as follows:

“xxx xxx xxx

58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of



its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.

The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.

xxx xxx xxx”

(Emphasis Supplied)

15. Further, in the case of ***Narinder Singh and Others Versus State of Punjab and Another, (2014) 6 SCC 466***, the Supreme Court has laid down guidelines for the High Courts while accepting settlement deeds between the parties and quashing the proceedings. The relevant observations in the said decision read as under:

“xxx xxx xxx

29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or



(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

xxx xxx xxx”

(Emphasis Supplied)

16. It is to be noted that this Court in the case of ***Deepak Kumar Versus State (Govt. of NCT) of Delhi and Another, 2024 SCC OnLine Del 1305***, while quashing an FIR on the basis of settlement between the parties held as follows:

“xxx xxx xxx

6. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would



depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

xxx xxx xxx”

(Emphasis Supplied)

17. This Court notes that in the present case, the proceedings arise out of a matrimonial relationship, and the parties after the settlement have already started living together peacefully.

18. This Court also takes note of the statement jointly made by both the parties that the Settlement dated 17th December, 2025, has been entered into voluntarily on the advice of well-wishers and other members of the society.

19. Accordingly, considering the facts and circumstances of the present case, it is directed that *FIR 448/2022* registered at PS Rajouri Garden, under Sections 498A/406/34 IPC, and all consequential proceedings arising therefrom, are hereby quashed.

20. The parties will remain bound by the terms of the Settlement Deed dated 17th December, 2025.

21. The present petition, along with the pending applications, accordingly stands disposed of in the aforesaid terms.

MINI PUSHKARNA, J

SEPTEMBER 25, 2026/KR