



2025:DHC:6969



\$~85

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of decision: 18.08.2025

+ CRL.M.C. 8574/2024

SANDEEP KUMAR AND ORS.

.....Petitioners

Through: Petitioner No. 1 is present in person with Mr. Anirudh Tanwar, Advocate (DHCLSC)  
Petitioners No. 2 to 5 are present through VC with Mr. Chetan Lokur, Advocate (DHCLSC) for P-5

versus

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

Through: Mr. Aman Usman, APP.  
Inspector Ravi Parkash Meena,  
WASI Pushpa Rani & Ms.  
WASI Babita, PS J.P. Kalan  
Respondent No. 2 is present in person

**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 82/2018, dated 24.05.2018, registered at P.S Jaffarpur Kalan, Delhi under Sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix giving rise to the instant case is that the marriage between Petitioner no. 1 and Respondent no. 2/complainant



was solemnized on 08.05.2014 as per Hindu Rites and ceremonies at village Dhama. One male child was born out of the said wedlock. However, on account of temperamental differences Petitioner No. 1 and Respondent No. 2 are living separately since 10.01.2016.

3. As per averments made in the FIR, Respondent No. 2 was subjected to physical and mental harassment on account of dowry demands by the petitioners. FIR No. 82/2018 was lodged at instance of Respondent No. 2 at PS Jaffarpur Kalan under section 498A/406/34 IPC against the petitioners. Chargesheet has since been filed under sections 498A/496/34/506 IPC.

4. During the course of proceedings, the parties amicably resolved their disputes. Petitioner No. 1 and Respondent No. 2 have dissolved their marriage by mutual consent vide divorce decree dated 31.07.2024. It is submitted that Petitioner No. 1 has paid the total settlement amount of Rs. 6,00,000/- (Rupees Six lacs only) as per the schedule in settlement. It is further submitted that the custody of the minor child would remain with petitioner no. 1 and respondent no. 2 would have monthly visitation rights.

5. Petitioner No. 1 and Respondent No. 2 are physically present before the Court while Petitioners No. 2 to 5 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer Inspector Ravi Parkash Meena from PS J.P. Kalan.



6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has no objection if the FIR No. 82/2018 is quashed against the Petitioners. She has further placed on record her Affidavit cum no objection certificate dated 09.10.2024, copy of which has been annexed as Annexure A7.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 82/2018 is quashed.

8. In ***Rangappa Javoore vs The State Of Karnataka And Another, Diary No. 33313/2019, 2023 LiveLaw (SC) 74***, Hon'ble Supreme Court has recognized the need of amicable settlement of matrimonial disputes by observing as under:-

“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 Code of Criminal Procedure, 1973.”

9. In ***Gian Singh vs State of Punjab (2012) 10 SCC 303***, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to



secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

10. In *Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr.*, (2013) 4 SCC 58, Hon'ble Supreme Court has encouraged courts to quash proceedings under section 482 Cr.P.C. in case of settlements in matrimonial disputes to secure the ends of justice, even if offences are non-compoundable by observing as under:-

"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.

16. There has been an outburst of matrimonial disputes in recent times. The institution of marriage occupies an important place and it has an important role to play in the society. Therefore, every effort should be made in the interest of the individuals in order to enable them to settle down in life and live peacefully. If the parties ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law, in order to do complete justice in the matrimonial matters, the courts should be less hesitant in exercising its extraordinary jurisdiction. It is trite to state that the power under Section 482 should be exercised sparingly and with circumspection only when the court is convinced, on the basis of material on record, that allowing the proceedings to continue would be an abuse of the process of the court or that the ends of justice require that the proceedings ought to be quashed. We also make it clear that exercise of such power would depend upon the facts and circumstances of each case and it has to be exercised in appropriate cases in order to do real and



substantial justice for the administration of which alone the courts exist. It is the duty of the courts to encourage genuine settlements of matrimonial disputes and Section 482 of the Code enables the High Court and Article 142 of the Constitution enables this Court to pass such orders.

11. Further, in *XYZ vs State of Gujrat & Anr., 2024 INSC 869*, the Hon'ble Supreme Court emphasized that High Courts must ensure that a genuine settlement exists between the victim and accused before quashing criminal proceedings under Article 226 or Section 482 CrPC and in serious offences, especially against women, the victim's personal or virtual presence is advisable to confirm free consent by observing as under:-

“7. When petitions are filed before the High Court by invoking either Article 226 of the Constitution of India or Section 482 of the Code of Criminal Procedure, 1973 (for short, ‘the Cr.P.C.’) for quashing criminal proceedings of non-compoundable offences on the ground of settlement, the High Court must satisfy itself that there is a genuine settlement between the victim and the accused. Without the Court being satisfied with the existence of a genuine settlement, the petition for quashing cannot proceed further. If the Court is satisfied about the existence of a genuine settlement, the other question to be considered is whether in the facts of the case, the power of quashing deserves to be exercised. Even if an affidavit of the victim accepting the settlement is on record, in cases of serious offences and especially against women, it is always advisable to procure the presence of the victim either personally or through video conference so that the Court can properly examine whether there is a genuine settlement and that the victim has no subsisting grievance.”

12. Further, it has been observed in *Narinder Singh v. State of Punjab, (2014) 6 SCC 466* that:

“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.”

13. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an



2025:DHC:6969



amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the present FIR No. 617/2020, dated 09.11.2020, registered at P.S Hari Nagar, Delhi under section 498A/406/506/34 IPC and all the other consequential proceeding emanating therefrom.

14. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 82/2018, dated 24.05.2018, registered at P.S Jaffarpur Kalan, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

15. In the interest of justice, the petition is allowed, and the FIR No. 82/2018, dated 24.05.2018, registered at P.S Jaffarpur Kalan, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

16. Petition is allowed and disposed of accordingly.

17. Pending application(s), if any, also stand disposed of.

**RAVINDER DUDEJA, J**

**August 18, 2025**

**SK**