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

% ***Date of Decision: 09th October, 2026***

\# **CNR No. DLHC010489152026**

\+ CRL.M.C. 7632/2026 & CRL.M.A. 31844/2026

SH ASHISH NAYYAR & ORS. .....Petitioners

Through: Mr. Vinod Kumar Khanna, Advocate with petitioners in person.
(M): 9891081919

versus

STATE 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. Deepak Singh Thakur with Ms. Neha Tiwari, Advocates for respondent no. 2 with respondent no. 2 in person (Through VC).
ASI Ramdass, PS Ghazipur.
(M): 9968552797

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. 245/2024*, dated 30th July, 2024,

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registered at Police Station ("PS") Ghazipur, East, Delhi, under Sections 498A/406/34 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 petitioners are present in Court physically. Respondent no. 2 is present through Video Conferencing ("VC"). The parties have been duly identified by their respective counsels as well as the concerned Investigating Officer ("IO"), who is also present in 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 09th December, 2021. However, owing to matrimonial discord, the said parties started residing separately from 28th February, 2023. Furthermore, no issue has been born out of the said wedlock.

6.2. The FIR in question came to be registered on dated 30th July, 2024, pursuant to a written complaint by respondent no. 2, i.e., the complainant, to the Crime Against Women ("CAW") Cell, East, PS Krishna Nagar, Delhi.

6.3. In the said complaint it has been alleged that the respondent no. 2 herein was subjected to mental and physical harassment on account of unlawful demands for dowry by the petitioners. On the intervening night of 27th- 28th February, 2023, following an altercation, respondent no. 2 was not allowed to

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return to her matrimonial home, and has been residing separately ever since.

6.4. During the pendency of proceedings, the parties amicably resolved all their disputes *vide* Deed of Settlement dated 07th April, 2026, whereby, petitioner no. 1 and respondent no. 2 agreed to dissolution of their marriage by way of mutual consent.

6.5. Furthermore, in the said Deed of Settlement, it has been recorded that all *stridhan* articles have been duly returned to respondent no. 2, and nothing remains due in this regard. It has been agreed that no further claims *qua* maintenance, alimony, and dowry articles, shall be raised by respondent no. 2.

6.6. By way of the said Deed of Settlement, the parties agreed to quashing of the FIR in question.

7. Learned counsels appearing for the parties submit that the parties have arrived at a settlement *vide* Deed of Settlement dated 07th April, 2026, and do not wish to pursue the matter any further, therefore, the FIR in question be quashed.

8. This Court has interacted with respondent no. 2, who submits that she has entered into the Deed of Settlement dated 07th April, 2026 out of her own free will and volition, with the petitioners, without any undue force or coercion from any side. She, thus, submits that she does not wish to pursue the present matter any further.

9. This Court is informed that petitioner no. 1 and respondent no. 2 have already been granted divorce by way of mutual consent *vide* decree dated 17th August, 2026, passed by the Family Court–01, West District, Tis Hazari, Delhi, in *HMA 342/2026*.

10. In light of the aforesaid, the parties seek quashing of the FIR in

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question.

11. Learned APP for the State submits that in view of the facts and circumstances of the case, the State has no objection in respect to the present petition.

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

13. 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.

14. 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.

15. 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*
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> ***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***

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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)

16. Considering the submissions made before this Court, *FIR No. 245/2024*, dated 30th July, 2024, registered at PS Ghazipur, East, Delhi, under Sections 498A/406/34 of the IPC and all proceedings emanating therefrom are hereby quashed.

17. The present petition is accordingly disposed of.

18. The pending application also stands disposed of.

MINI PUSHKARNA, J

OCTOBER 9, 2026
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