



2025:DHC:8162



\$~72

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of decision: 16.09.2025

+

CRL.M.C. 3212/2025 & CRL.M.A. 14171/2025 EXEMPTION**GAURAV KUMAR & ORS.**

.....Petitioners

Through: Mr. Shlok Bansal, Adv.

versus

THE STATE (NCT OF DELHI) & ANR.

... Respondents

Through: Ms. Manjeet Arya, APP with SI
Sumeet Ponia, PS Vivek Vihar.**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. 133/2023, dated 07.04.2023, registered at P.S Vivek Vihar, District Shahdara, 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 01.02.2017 as per Hindu rites and ceremonies at New Delhi. One 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 19.08.2022.



3. As per allegations made in the FIR, complainant, alleged that her petitioners subjected her to mental and physical harassment on account of dowry demands. FIR No. 0133/2023 was lodged by Respondent no. 2 at PS Vivek Vihar, District Shahdara under sections 498A/406/34 IPC against the petitioners. Charge sheet has since been filed under Sections 498A/406/354/506/34 IPC and Section 4 of Dowry Prohibition Act.

4. During the course of proceedings, the parties amicably resolved their disputes before the Delhi Mediation Centre, Karkardooma Courts, Delhi and executed a Settlement dated 26.06.2024. In view of the aforesaid settlement, petitioner no. 1 and respondent no. 2 have obtained divorce on 24.12.2024. It is submitted that petitioner no. 1 has paid the total settlement amount of Rs. 2,00,000/- (Rupees Two Lacs only) as per the schedule in the settlement along the articles listed in the settlement. It is further submitted that the custody of the child shall be with respondent no. 2 with no visitation rights given to petitioner no. 1. Copy of the Settlement dated 26.06.2024 has been annexed as Annexure P-2.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Sumeet Ponia, from PS Vivek Vihar.

6. Respondent no. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has received the entire settlement amount along articles as per the



settlement and has no objection if the FIR No. 133/2023 is quashed against the petitioners.

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. 133/2023 is quashed.

8. Hon'ble Supreme Court has recognized the need of amicable settlement of disputes in *Rangappa Javoor vs The State Of Karnataka And Another*, Diary No. 33313/2019, 2023 LiveLaw (SC) 74, *Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr.*, (2013) 4 SCC 58 & in *Gian Singh vs State of Punjab* (2012) 10 SCC 303.

9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon *B.S. Joshi v. State of Haryana*, (2003) 4 SCC.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any



2025:DHC:8162



coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

11. The petition is allowed, and the FIR No. 133/2023, dated 07.04.2023, registered at P.S Vivek Vihar, District Shahdara, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

September 16, 2025

SK