



2025:DHC:4272



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

% *Date of decision: 23.05.2025*

+ CRL.M.C. 2999/2025 & CRL.M.A. 13347/2025 EXEMPTION
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VIKAS GAHLOT and ANR.Petitioners

Through: Mr. Vishesh Kr. Raghav &
Mr. Ketan Panwar, Advs. along
with petitioners in person

versus

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

Through: Mr. Satinder Singh Bawa, APP
for the State with SI Sachin, PS
Khajuri Khas
R-2 in person

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR NO. 71/2018 Under Sections 498-A/406/377/34 of the Indian Penal Code registered at P.S. Khajuri Khas, and all proceedings arising therefrom pursuant to a settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 22.05.2013 as per Hindu rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted



that due to temperamental differences, both the parties started living separately since 06.05.2017. Pursuant to which on 22.02.2018, the aforesaid FIR was registered against the petitioners. Charge sheet regarding the said FIR has been duly filed under sections 498A/406/377/34 IPC.

3. During the pendency of the proceedings, the parties amicably resolved their disputes through a **compromise/MOU dated 05.10.2024**. Thereafter, on 27.01.2025, both parties were granted divorce by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide HMA No. 10/2025. As per the settlement agreement, the total and final settlement amount was fixed at Rs. 30,00,000/-, to be paid in installments, and the MOU/compromise deed dated 05.10.2024 has been placed on record as **Annexure P5**.

4. Both the parties were presented before the JR on 01.05.2025, for recording their statements, which reads as follows;

“01.05.2025

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 71/2018 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. KHAJURI KHAS on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. P-2 is appearing through virtual mode and stated that matter has been amicably settled.

3. Vide separate statement recorded in this behalf, P-1 stated that dispute between petitioners and R-2 has been amicably settled as per the settlement deed dated 05.10.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure.



They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioners has been amicably settled as per the settlement deed dated 05.10.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 23.05.2025.”

5. Petitioner no. 1 & Respondent no. 2 are physically present before the Court with counsel while petitioner no. 2 has entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Sachin from PS Khajuri Khas.

6. Respondent No. 2 confirms that she has received the full and final settlement amount of Rs. 30,00,000/- and further submits that the matter has been amicably settled with the Petitioners without any force, fear, or coercion. She has no objection to the terms and conditions mentioned in the Compromise/Settlement Deed dated



05.10.2024 and further submits that she has no objection if **FIR NO. 71/2018 Under Sections 498-A/406/377/34 of the Indian Penal Code registered at P.S. Khajuri Khas** along with all pending proceedings arising therefrom, 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 **FIR NO. 71/2018 Under Sections 498-A/406/377/34 of the Indian Penal Code registered at P.S. Khajuri Khas** alongwith pending proceeding is quashed.

8. 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."

9. 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. 71/2018 Under Sections 498-A/406/377/34 of the Indian Penal Code registered at P.S. Khajuri Khas** and all the other consequential proceeding emanating therefrom.



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10. In the interest of justice, the petition is allowed, and **FIR NO. 71/2018 Under Sections 498-A/406/377/34 of the Indian Penal Code registered at P.S. Khajuri Khas**, along with all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 23, 2025/na