



2025:DHC:3729



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

% *Date of decision: 14.05.2025*

+ CRL.M.C.3150/2025 & CRL.M.A. 13866/2025 EXEMPTION

SH. RAKESH KUMAR AND ORS.

.....Petitioners

Through: Mr. Joginder and Mr. Tara Chand,
Advs.

versus

THE STATE GOVT. OF NCT OF DELHI & ANR. ...Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Charu Saini, PS Aman Vihar,
Rohini.

Mr. Tapashwar Vatsa, Mr. Varun Kr.
& Mr. Sumit Kr., Advs. for R-2.

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.0094/2021 U/s 498-A/406/34 IPC P.S. AMAN VIHAR, 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 28.11.2017 as per Hindu rites and ceremonies at Delhi. One female child namely Aavya was born from the said wedlock on 21.08.2018.



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It is submitted that due to temperamental differences, the couple started living separately since 22.04.2019. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. Both parties entered into Compromise/Settlement vide Settlement Deed dated 04.01.2024 before the counselling cell. Pursuant to this, they jointly filed HMA No. 2261/2024, and their marriage was dissolved by mutual consent on 20.08.2024. In terms of the settlement, the petitioner paid Rs. 4,50,000/- to respondent no. 2, who retained custody of their daughter, and a copy of the Compromise/Settlement Deed is annexed as Annexure P2.

4. The matter was placed before the Joint Registrar on 05.05.2025, who has recorded the statements of both the parties and passed the following orders:-

“05.05.2025

Today, statement of respondent no.2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no.2 has been identified by the IO and the counsel.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 14th May, 2025.”

5. Parties are physically present before the Court with respective Counsels. They have been identified by the Investigating Officer SI Charu Saini, from PS Aman Vihar.

6. Respondent No. 2 confirms that she has received the full and final settlement amount and submits that the matter has been amicably settled



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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 04.01.2024 and further submits that she has no objection if, FIR No.0094/2021 U/s 498-A/406/34 IPC P.S. AMAN VIHAR 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 present FIR No.0094/2021 U/s 498-A/406/34 IPC P.S. AMAN VIHAR 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.0094/2021 U/s 498-A/406/34 IPC P.S. AMAN VIHAR 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.0094/2021 U/s 498-A/406/34 IPC P.S. AMAN VIHAR, along with the charge sheet and 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 14, 2025/na