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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 20.03.2025*+ **W.P.(CRL) 43/2025****DEEPAK CHAUDHARY & ORS.**PetitionersThrough: Mr. Manoj and Mr. Balram
Sharma, Advs.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Anand V. Khatri, ASC
(Crl.) with SI Naresh Kumar,
PS Dabri.Mr. Harshit Batra, Adv. for R-
2. Along with R-2.**CORAM:****HON'BLE MS. JUSTICE SHALINDER KAUR****SHALINDER KAUR, J. (ORAL)****CRL.M.A. 396/2025**

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present Petition has been filed under Article 226 of the Constitution of India read with 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the Petitioners, who are the Husband, Father-in-law and Mother-in-law of the Complainant / Respondent No. 2, seeking to quash the FIR No. 1035/2022 dated 24.11.2022



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(subject FIR) registered under Sections 498-A, 406, 34 of the Indian Penal Code, 1860 ('IPC') at Police Station Dabri, Delhi and its consequential proceedings qua the petitioners.

4. The marriage between the respondent no. 2 and the petitioner was solemnized on 06.12.2015 as per the Hindu rites and ceremonies. A daughter was born out of the wedlock on 18.03.2017. However, due to certain matrimonial discords between the parties, the respondent no. 2 made a complaint to the Police, based on which, the subject FIR was registered. It is stated that no chargesheet has been filed in the present case.

5. The present Petition is premised on the Settlement/Agreement dated 14.08.2024 arrived at between the parties through Mediation before the Mediation Centre, Dwarka Courts, Delhi and the divorce decree dated 05.11.2024 which is the culmination of Petition under section 13B(2) of the Hindu Marriage Act 1955, whereby the parties had sought dissolution of their marriage by mutual consent.

6. The Petition is also supported by affidavits of the Petitioners, as well as of Respondent No. 2, along with proofs of their identities; Aadhaar Cards.

7. The Petitioners as well as Respondent No.2 are present in court. Their credentials have been verified by Sub-Inspector, Naresh Kumar, Police Station Dabri and they have also been identified by their respective counsels and the I.O. The report of the Joint Registrar (Judicial) *vide* Order dated 21.02.2025 has also been perused.

8. The learned counsel for the parties submit that in pursuance to



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the settlement, the parties have withdrawn the respective litigations filed by them.

9. The Court has also enquired from the Respondent No.2 who confirms that the Settlement/Agreement dated 14.08.2024 has been entered into between the parties; and that in full-and-final settlement of all her claims including towards maintenance (past, present and future), alimony, *stridhan*, etc, she was to receive a sum of Rs.12,00,000/- from the Petitioner No.1; and all the full and final settlement amount has been paid to Respondent No. 2, in compliance of the terms of the said Settlement/Agreement. Respondent No.2 also confirms that all aspects of the settlement have now been performed. Respondent no.1 too confirms to all the contents of the settlement.

10. The parties have also agreed that the custody of the minor daughter shall remain with respondent no. 2 and the petitioner no.1 shall have visitation rights as per the Settlement agreement and shall not claim any custody of the child.

11. Mr. Anand V. Khatri, the learned ASC affirms that the State has no objection to the subject FIR being quashed.

12. In these circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile



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exercise and would not be conducive to peace and harmony between the parties.

13. Accordingly, FIR No. 1035/2022 dated 24.11.2022 (subject FIR) registered under Sections 498-A, 406, 34 of the Indian Penal Code, 1860 at Police Station Dabri, Delhi is hereby quashed. All proceedings arising therefrom also stand closed.

14. Accordingly, the petition stands disposed of.

SHALINDER KAUR, J

MARCH 20, 2025/ss/km

Click here to check corrigendum, if any