



2025:DHC:3672



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***IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of decision: 13.05.2025*

+ W.P.(CRL) 94/2025, CRL M.A 855/2025

SH. SHUBHAM KAPOOR AND ORS.

.....Petitioners

Through: Mr. Tarun Arora, Adv.

versus

THE STATE & ANR.

... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
for the State & Mr. Abhinav Arya,
Mr. Aryan Sachdeva, Advs. with
SI Rajni Kant, PS Kirti Nagar.
Mr. Ravinder Saini, Adv. for R-2.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This petition under Section 528 of the BharatiyaNagarikSurakshaSanhita, 2023 seeks quashing of FIR No. 0146/2024 dated 11.03.2024 under Sections 498-A/406/34 IPC, P.S. Kirti Nagar, Delhi, 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 03.03.2021 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, the couple started living separately since



December 2022. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. During the proceedings, both parties entered into a Compromise/Settlement Deed dated 27.09.2024. Pursuant to this, the Ld. Principal Judge, Family Court, Tis Hazari, vide HMA No. 2979/2024, allowed the petition under Section 13B(2) by mutual consent on 07.11.2024, thereby dissolving the marriage between Petitioner No. 1 and Respondent No. 2. As part of the settlement, the petitioner agreed to pay Rs. 4,00,000/- to Respondent No. 2 in three installments.

4. The matter was placed before the Joint Registrar on 08.04.2025, who has recorded the statements of both the parties and passed the following orders:-

“08.04.2025

The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanita, 2023 for quashing of the FIR NO. 146/2024 Under Sections 498A/406/34 of the Indian Penal Code registered at P.S. Kirti Nagar 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

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 27.09.2024. 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 27.09.2024. 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 13.05.2025."

5. Parties are physically present before the Court with counsel for respondent No. 2 while Counsel for petitioners has entered appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Rajni Kant from PS Kirti Nagar.

6. Respondent No. 2 confirms that she has received the full and final settlement amount and 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 27.09.2024 and further submits that she has no objection if FIR No. 0146/2024 dated 11.03.2024 under Sections 498-A/406/34 IPC, P.S. Kirti Nagar, Delhi, 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. 0146/2024 dated 11.03.2024 under Sections 498-A/406/34 IPC, P.S. Kirti Nagar, Delhi along with 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. 0146/2024 dated 11.03.2024 under Sections 498-A/406/34 IPC, P.S. Kirti Nagar, Delhi 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. 0146/2024 dated 11.03.2024 under Sections 498-A/406/34 IPC, P.S. Kirti Nagar, Delhi, along with the 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 13, 2025/na



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