



2025:DHC:4174



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

% **Date of decision:16.05.2025**

+ W.P.(CRL) 144/2025

NIPUN KATARIA & ORS.

.....Petitioners

Through: Mr. Ravi Chawla, Mr. Vivek Luthra, Ms. Avsheiya Munjal, Mr. Himanshu Sood, Mr. Daksh Tikoo and Mr. Aakarshika Chawla, Advs. with petitioners in person.

versus

STATE THROUGH SHO P.S. NARAINA & ANR.

.....Respondents

Through: Mr. Anand V. Khatri, ASC (Crl.) for State with SI Deepak Chandra, P.S. Naraina.
Ms. Gauri Batra, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed invoking the jurisdiction of this Court under Article 226 of the Constitution of India, 1850 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking to quash the FIR No.305/2023 dated 30.10.2023 for offences under Sections 498A/406/34, registered at Police Station Naraina



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(“subject FIR”) and all consequential proceedings arising therefrom.

2. The learned counsel for the petitioners submits that the petitioner no. 1 is the husband of respondent no. 2 and their marriage was solemnized on 25.02.2012, as per the Hindu rites and ceremonies. The petitioner no. 2 and petitioner no.3 are the father-in-law and mother-in-law respectively, of the respondent no.2. A male child, namely, Dhanvin, was born out of the said wedlock. Subsequent thereto, he submits, the temperamental differences developed between the petitioners and respondent no. 2, coupled with the raising demands for dowry, led to the registration of the subject FIR.

3. The learned counsel further submits that with the intervention of family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of all disputes persisting between them and have stated to be living separately since March, 2023. Furthermore, the marriage between the petitioner no. 1 and respondent no. 2 has been dissolved by a decree of divorce by way of mutual consent dated 02.12.2024 passed by the learned Judge Family Courts, North District, Rohini, Delhi.

4. The present petition is premised on the assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Settlement Deed dated 09.04.2024 has been duly executed between the petitioner no. 1 and the respondent No. 2 before the Delhi High Court Mediation and Conciliation Centre (SAMADHAN). It is further submitted that, in terms of the said



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Settlement Deed, respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

5. As per the terms of the Settlement, the petitioner no.1 has agreed to pay a total sum of Rs.75,00,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, permanent alimony, in two (02) instalments. It is also agreed that the minor son, namely, Dhanvin, shall remain in care and custody of petitioner no.1 and respondent no.2 will have the visitation rights to meet his son twice a month on the Second and Fourth weekend beginning Friday evening after school hours till Saturday evening. The said Settlement Deed dated 07.04.2024 embodying the terms of settlement has been placed on record.

6. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 16.04.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in her statement before the Joint Registrar (Judicial), has stated therein, that she has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed.

7. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

8. The respondent no. 2, who is present in court, upon being queried, confirms that she entered into the said Settlement Deed out of



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her free will, without any coercion, force or undue influence and that she has withdrawn the litigations filed by her before different Judicial for and no other litigation remains pending between the partes. She submits that she has received the entire settlement amount of Rs.75,00,000/-, as a full and final settlement of all her claims and the parties are abiding by the terms of settlement. Furthermore, she submits that the marriage has been dissolved *vide* the decree dated 02.12.2024 and she has no objection if the subject FIR is quashed.

9. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

10. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.

11. In view of 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 exercise and would not be conducive to peace and harmony between the parties.

12. In conspectus of the above facts and the Settlement Deed dated 07.04.2024, the subject FIR No. 305/2023 dated 30.10.2023 for offences under Sections 498A/406/34, registered at Police Station Naraina and all consequential proceedings emanating therefrom, are



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hereby quashed.

13. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 16, 2025/ab/kp

Click here to check corrigendum, if any