



2025:DHC:1862



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

Date of decision: 20.03.2025

+ **CRL.M.C. 363/2025**

ASHISH MITTAL & ORS.

.....Petitioners

Through: **Mr. Devendra Kumar and Mr.
Rakesh Kumar Dudeja, Advs.**

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: **Mr. Nawal Kishore Jha, APP
along with IO.
Mr. Ashutosh Jha and Mr.
Oleander Donald Singh, Advs.
for R-2.**

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J. (ORAL)

CRL.M.A. 1785/2025 (Exemption)

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

CRL.M.C. 363/2025

3. The present Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the Petitioners, who are the Husband, Mother-in-law and Father-in-law, Brother and Sister-in-law of the Complainant / Respondent No. 2, seeking to quash the FIR No. 21/2020 dated 22.01.2020 (subject FIR) registered under



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Sections 498A, 406, 34 of the Indian Penal Code, 1860 ('IPC') at Police Station Sarai Rohilla, Delhi.

4. The petitioner no. 1 and respondent no. 2 got married under Hindu rites and ceremonies in Alipur, Delhi on 17.02.2018. A daughter was born out of the wedlock on 01.01.2019. Whereafter, in August, 2018 due to certain matrimonial discords between the couple, the couple started living separately. On the basis of a police complaint by the Respondent no. 2, the subject FIR was registered.

5. Consequent upon completion of the Investigation in the subject FIR, the Charge-sheet dated 29.12.2022 was filed in the present matter, which was pending disposal before the learned Metropolitan Magistrate (Central), Tis Hazari Court, Delhi, amongst other litigations pending between the parties.

6. It is jointly submitted by the parties that pursuant to settlement between the petitioner no. 1 and respondent no. 2 before the Mediation and Conciliation Centre, Delhi High Court on 15.10.2024, a full and final settlement with respect to all the litigations between the parties has been arrived.

7. In view thereto, the respondent no. 2 has received the entire sum of Rs. 16,00,000/- as full and final settlement by way of six Demand Drafts and their marriage has been dissolved by way of mutual consent decree dated 17.12.2024 passed by the learned Family Court (Central), Tis Hazari Courts, Delhi in HMA No. 2066/2024 under Section 13-B(2) of Hindu Marriage Act, 1955 and no other litigation now is pending between the parties.



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8. The parties have also agreed that the custody of the minor daughter shall remain with respondent no. 2 and the petitioners will not claim any visitation rights or custody over the child.

9. The statement of the parties and the identification have been done before the Joint Registrar (Judicial) *vide* order dated 07.03.2025.

10. The Petitioners as well as Respondent No.2 are present in court. Their credentials and their identities have been verified by their respective counsels and the I.O.

11. The learned counsel for the parties submit that in pursuance to the settlement, the parties have withdrawn the respective litigations filed by them and no litigation remains pending amongst them.

12. The Court has also enquired from the Petitioner no. 1 (husband) and Respondent No.2 who confirms that the Settlement/Agreement dated 15.10.2024 has been entered into between the parties; and that in full-and-final settlement of all the claims of Respondent no. 2, including towards maintenance (past, present and future), alimony, *stridhan*, and for maintenance of the minor daughter, she was to receive a sum of Rs.16,00,000/- 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.

13. Mr. Nawal Kishore Jha, the learned APP affirms that the State has no objection to the subject FIR being quashed.



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

15. Accordingly, FIR No. 21/2020 dated 22.01.2020 registered under Sections 498-A, 406, 34 of the IPC at Police Station Sarai Rohilla, Delhi is hereby quashed. All proceedings arising therefrom also stand closed.

16. Accordingly, the petition stands disposed of.

SHALINDER KAUR, J

MARCH 20, 2025/ss/km

Click here to check corrigendum, if any