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

+ CRL.M.C. 718/2025

SHRI UMESH MISHRA & ORS.

.....Petitioners

Through: Mr. Varun Dhingra, Mr. Shivam Sachdeva, Advocates alongwith petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State.

Mr. Krishna Kumar, Advocate for R-2 alongwith Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

19.08.2025

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1. Petitioners herein seek compromise quashing of FIR No. 186/2019 dated 13.02.2019 lodged under Section 498A IPC registered at P.S. Sultanpuri, Delhi and all the consequential proceedings arising therefrom based on compromise between the parties vide Memorandum of Understanding dated 03.01.2024. Subsequent to the registration of the FIR, Sections 406, 376, 377, 506, 354, 34 of IPC and Section 4 of the Dowry Prohibition Act, 1961 were also added in the chargesheet.

2. Dispute between the parties arose from the matrimonial discord between Petitioner no.1 (husband) and Respondent no.2 (wife). The Petitioner No.1 and Respondent No. 2 were married on 12.05.2013 according to Hindu rites and customs. One child is born from the wedlock, who is in the custody of Respondent No. 2.

2.1 Petitioner No. 2 (father), Petitioner No. 3 (mother) and Petitioner No. 4 (Sister) and Petitioner No. 5 (sister) are the family members of Petitioner No. 1.



2.2 Subsequently, parties have amicably resolved all disputes through a Memorandum of Understanding dated 03.01.2024. Vide this MOU, the parties have also agreed that the minor child will be remain in the custody of the Respondent No. 2.

2.3 Pursuant to the settlement, Petitioner No. 1 and Respondent No. 2 have already obtained divorce decree dated 22.07.2024 by mutual consent from the competent Family Court.

3. Learned counsel for the petitioners submits that the parties have now amicably resolved their dispute through a MOU/ Settlement Agreement dated 03.01.2024 which is placed on record (**Annexure-P-4**). He further submits that an affidavit of no objection to the quashing, deposed by respondent no. 2, has also been placed on record.

4. The parties are present in Court. Upon interacting with Respondent No. 2, she candidly states that she has entered into the settlement of her own free will, without any duress, coercion, or undue influence. She further submits that, in view of the amicable settlement, she does not wish to pursue any charges against the petitioners. She also states that the minor child shall remain in her custody, with the Petitioner No. 1 having no claim to visitation or custody rights.

5. *Qua* the alleged offences attracting section 376 of IPC (against father-in-law) and section 377 (against husband), the complainant wife on a Court query, submits that the same were leveled in the heat of the moment, when she was highly anguished owing to acrimony with her husband. She did not quite appreciate the adverse consequences of the same. She submits that she regrets having leveled such allegations. She does not want to press any charges qua the same either against her husband or father-in-law.

6. In the aforesaid backdrop, I have heard learned counsels for the parties and perused the case file.



7. Learned APP fairly does not oppose the petition in light of the settlement arrived between the parties.

8. Since respondent no.2 does not wish to press charges against the petitioners, and in the absence of any incriminating material against them, coupled with the fact that the parties have amicably compromised the matter, continuation of the proceedings may serve no useful purpose and would be a drain on judicial resources and abuse of the process of law. Quashing the FIR would facilitate the parties in maintaining or restoring cordiality, especially co-parenting the minor child born out of the wedlock. The child's well-being would be better preserved in an environment where the parents are not embroiled in ongoing legal disputes.

9. Thus, in the larger interest of justice, and in exercise of the inherent powers vested in this Court, it is deemed expedient to quash the FIR in question arising out of matrimonial dispute between the private parties. Reference may also be made to the judgment of the Hon'ble Supreme Court in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

10. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 186/2019 dated 13.02.2019, registered at P.S. Sultanpuri for the alleged offence under Section 498A of IPC against petitioner nos. 1 to 4, along with all further proceedings arising therefrom, are hereby quashed.

11. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

AUGUST 19, 2025/rs/nk