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

+ CRL.M.C. 774/2025 & CRL.M.A. 3625/2025

UMESH KUMAR AND ORS

.....Petitioners

Through: Mr. Arvind Kumar and Mr. Anil
Kumar, Advocates alongwith
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with Ms. Mansi Sharma,
Advocate.
W/ASI Nimmo, main IO and SI
Bharat Singh, P.S. Uttam Nagar.
Mr. Sumit Sharma, Advocate for R-2.
R-2 in person (through Vc).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

23.04.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 528 of the BNSS seeks quashing of FIR No. 715/2017, under Sections 498A/406 of the IPC, registered at P.S. Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kritika Jain, Judicial Magistrate First Class-03, South West, Dwarka Courts, Delhi.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 15.01.2016 as per Hindu Rites and Customs and no child was born out of the said wedlock.



4. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 11.11.2016. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law), petitioner no. 3 (mother-in-law) and petitioner no. 4 (brother-in-law).

5. On 10.08.2021, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 7,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future.

6. The petitioners appear in person and respondent no. 2 appears through video conferencing and have been duly identified by the Investigating Officer, SI Bharat Singh, P.S. Uttam Nagar.

7. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 28.03.2025.

“Mr. Prateek Bura, Ld. Counsel for Respondent no. 2 appeared in person and submits that the demand draft for a sum of Rs. 2,50,000/- bearing no. 803480 drawn on Canara Bank, dated 03.02.2025 handed over to Respondent no. 2 on the last date of hearing stands duly honoured and nothing else remains due in this case and Respondent no. 2 has no objection if FIR No. 715/2017, Under Section 498-A/406 IPC, registered at PS Uttam Nagar, Delhi and all proceeding emanating there from is quashed qua the petitioners.

The statement of Respondent no. 2 to ascertain the veracity and the genuineness of the parties entering into settlement was recorded on 07.03.2025.

The compromise/MOU/Settlement dated 10.08.2021 entered into between the parties is on record as Annexure P-3 at page no. 41.

As per the settlement, the respondent no. 2 has now received



the total settlement amount towards her article, stridhan as well as towards alimony and maintenance past, present and future whatsoever and Respondent no. 2 shall not claim anything in this regards in future by way of any litigation. Respondent no. 2 states that she has no objection whatsoever if FIR no. 715/2017, Under Section 498-A/406 IPC, registered at PS Uttam Nagar, Delhi against the petitioners is quashed. Respondent no. 2 has also been granted divorce by Mutual consent in HMA No. 1086/2022 vide decree dated 09.05.2022 which is on record at page 75.

There is no child born out the wedlock.

Respondent no. 2 shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR and withdrawal of any other case, if any as per the settlement. Respondent no. 2 undertakes to fully cooperate in quashing of the present FIR and withdrawal of all/any other connected case, if any. Respondent no. 2 has also given her affidavit in support of the present petition which is at page no. 21 of the petition bearing her signatures.

This pre verified report along with the petition may be placed before the Hon'ble Court on **23rd April, 2025.**"

8. The Complainant/respondent no.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed against the petitioners. She further states that all the terms of the settlement have been complied with.

9. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

10. In *Gian Singh v. 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.”

11. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 715/2017, under Sections 498A/406 of the IPC, registered at P.S. Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kritika Jain, Judicial Magistrate First Class-03, South West, Dwarka Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 715/2017, under Sections 498A/406 of the IPC, registered at P.S. Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kritika Jain, Judicial Magistrate First Class-03, South West, Dwarka Courts, Delhi, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

14. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

APRIL 23, 2025/bsr/pr

[Click here to check corrigendum, if any](#)