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

\+ CRL.M.C. 880/2025

GARVIT KHANDELWAL & ANR. .....Petitioners

Through: Mr. Avinash Kumar, Adv. with petitioner no.1 in person.

versus

THE STATE (GOVT. OF N.C.T. OF DELHI) & ANR.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State along with
IO SI Rohit Kumar
Mr. Manu Prabhakar, Adv. for R-2 with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

O R D E R

% 15.05.2025

1. This hearing has been done through hybrid mode.

2. The present petition filed under Section 528 of the BNSS seeks quashing of the FIR No. 431/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Rajouri Garden, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Aakanksha Gautam, learned Judicial Magistrate, First Class, West District, Tis Hazari Courts, New Delhi.

3. Learned counsel appearing on behalf of the petitioners submits that petitioner no.2, father of petitioner no.1/husband, is 75 years old and he may be exempted from personal appearance.

4. The marriage between petitioner no.1/husband and respondent

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no.2/wife was solemnized on 06.07.2014 as per Hindu rites and ceremonies and one female child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from October 2021. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband) and petitioner no. 2 (father-in-law).

6. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 24.04.2025: -

> "Today, statement of respondent no. 2 & petitioner no. 1 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.
>
> Respondent no. 2 lodged FIR No. 431/2022, Under Section 498-A/406/34 IPG, registered at PS Rajouri Garden, Delhi and charge sheet has been filed against the petitioners.
>
> Respondent no. 2 states that she has voluntarily and without any pressure or coercion from anyone and with the intervention of friends, family members and well wishers settled all my issues and disputes with all the petitioner; and out of her free will have entered into compromise/MOU/Settlement dated 09.01.2025 which is on record as Annexure P-4 at page no. 101 onwards bearing her signatures.
>
> As per settlement, Respondent no. 2 is happily residing with the petitioner no. 1 (Sh. Garvit Khandelwal) in her matrimonial home peacefully after reconciling all the issues and disputes.
>
> As per the settlement, Respondent no. 2 has no objection if FIR bearing No. 431/2022, Under Section 498-A/406/34 IPG, registered at PS Rajouri Garden, Delhi and all proceedings emanating there from are quashed by the Mon'ble Court qua all the petitioner. There is no other case pending between Respondent no. 2 and the petitioners. Respondent no. 2 undertakes to withdraw all other cases, if any remaining.
>
> Respondent no. 2 is making this statement voluntarily in the presence of her counsel, 10 as well as her husband. Respondent no. 2 is fully aware of the consequences of making this statement. Respondent no. 2 shall cooperate in quashing of the present FIR.

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Respondent no. 2 shall also abide by all terms of the settlement. Respondent no. 2 shall not institute any other civil or criminal proceedings against the petitioners with respect to the facts and events for which the abovesaid FIR was registered.

Separate statement of Petitioner no. I has been recorded in this effect.

Respondent no. 2 has been identified by his counsel.

This pre verified report along with the petition may be placed before the lion ble Court on 15 May, 2025 alongwith the statements recorded today."

7. Petitioner no.1 and complainant/respondent no. 2 have appeared in person before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer SI Rohit Kumar. On an oral request made by learned counsel appearing on behalf of the petitioners, petitioner no.2 is exempted from personal appearance.

8. Complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement 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, the 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 proceeding."

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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. 431/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Rajouri Garden, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Aakanksha Gautam, learned Judicial Magistrate, First Class, West District, Tis Hazari Courts, New Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 431/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Rajouri Garden, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Aakanksha Gautam, learned Judicial Magistrate, First Class, West District, Tis Hazari Courts, New 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

MAY 15, 2025/nk

Click here to check corrigendum, if any

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