



2025:DHC:4735



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 30.05.2025

+ CRL.M.C. 1282/2023 & CRL.M.A. 4885/2023, CRL.M.A.
29240/2023, CRL.M.A. 15999/2025

MUKESH KHER

AND OTHERS

.....Petitioners

Through: Mr. Nitin Ahlawat, Mr. Vishal Ahlawat, Mr. BS Sharma, Mr. Vishal K, Mr. Santosh Kumar, Ms. Anuradha Garg and Mr. Gokul Singh, Advocates with petitioner Nos. 1 and 2 in person.
Petitioner No. 3 is present through VC.

versus

THE STATE
AND ANOTHER

.....Respondents

Through: Ms. Shubhi Gupta, APP for State with SI Satish Kumar, PS-Prashant Vihar.
Respondent Nos. 2 and 3 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0447/2021,



dated 30.06.2021, registered at P.S Prashant Vihar under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Respondent No.2 and Respondent No.3 was solemnized on 19.02.2019 as per Hindu rites and ceremonies at Delhi. It is submitted that due to temperamental differences, the Respondent No.2 started living separately since 24.08.2020 in her matrimonial home. Thereafter, Respondent No.2 filed petition under section 12 of the DV Act and also lodged the aforesaid FIR against Petitioners. The charge sheet was filed under sections 498A/406/354/506/34 IPC.

3. It is submitted that during the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 15.05.2025. In pursuance of the Settlement, it is submitted that Respondent no. 2 and 3 are living together and that the Petitioner No.1 (father-in-law) has handed over Demand Drafts of Rs. 25,00,000/- (Rupees twenty five lacs) each to the Respondent no. 2 and 3 respectively. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn and all conditions of the Settlement Agreement have been fulfilled.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-



“28.05.2025

1. This is a petition filed seeking quashing of the FIR No. 447/2021 dated 30.06.2021 registered at PS Prashant Vihar under Section 4981/406/506/354/34 IPC.

2. As per the submissions, the matter between the petitioners & R-3 and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners and R-3 stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 15.05.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf. R-2 stated that dispute between R-2 and petitioners & R-3 has been amicably settled as per the settlement deed dated 15.05.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 30.05.2025.

5. Petitioner Nos. 1 and 2 and respondent Nos. 2 and 3 are physically present before the Court while petitioner No. 3 has entered his appearance through VC. They have been identified by their



respective counsels as well as by the Investigating Officer SI Satish Kumar, from PS Prashant Vihar.

6. Respondent No.2 and 3 confirm that the matter has been settled with the petitioners without any force, fear, coercion and they have received the payment of the settlement amount of Rs. 25,00,000/- (Rupees twenty five lacs) each from the Petitioners as per the Settlement Deed. She further submits that she has no objection if the FIR No. 0447/2021 is quashed against the petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0447/2021 is quashed.

8. In ***Gian Singh vs 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."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0447/2021, dated 30.06.2021,



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registered at P.S Prashant Vihar under sections 498A/406/34 IPC along with charge sheet and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0447/2021, dated 30.06.2021, registered at P.S Prashant Vihar under sections 498A/406/34 IPC along with charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 30, 2025/AK

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