



\$~55

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

+ **W.P.(CRL) 500/2025**

NITIN AND ORS.

.....Petitioners

Through: Mr. Rahul Verma, Advocate along
with Petitioner Nos. 1 and 2 in person.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kumar Arya and Mr. Aryan Sachdeva,
Advocates.

SI Ekta, P.S. Bindapur.

Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

28.03.2025

%

1. This hearing has been done through hybrid mode.

CRL.M.A. 4451/2025 (Exemption)

2. Allowed, subject to all just exceptions. The application is allowed and disposed of accordingly.

W.P.(CRL) 500/2025

3. The present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS seeks quashing of FIR No. 701/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Bindapur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned JMFC, Mahila Court, Dwarka Courts, Delhi.



4. The marriage between the petitioner No.1/husband and the respondent No.2/wife was solemnized on 02.10.2019 as per Hindu Rites and Customs and no child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner No. 1/husband and respondent No. 2/wife, the parties started residing separately from 17.05.2020. Subsequently, respondent No.2/complainant lodged an FIR against the petitioners.

6. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the proceedings, the petitioner No. 1 has settled the matter with respondent no. 2 *vide* Settlement dated 12.08.2024 before Counselling Cell, Family Courts, Dwarka, Delhi and in pursuance of which respondent No. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed.

7. Petitioner Nos. 1 and 2 and respondent No. 2/complainant appear in person and have been duly identified by the Investigating Officer, SI Ekta, P.S. Bindapur.

8. An oral exemption has been sought on behalf of petitioner No. 3 on the ground of medical exigency.

9. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and had passed the following order on 04.03.2025: -

“Sh. Varshit Dhawan, Ld. Counsel for Respondent no. 2 & Respondent no. 2 has appeared through VC and submits that the demand draft for a sum of Rs. 50,000/- in form of Demand Draft No. 165946 drawn on SBI Bank, dated 10.12.2024 handed over to Respondent no. 2 on the last date of hearing stands duly honoured and nothing else remains due in this case and she has no objection if FIR No. 701/2021, Under Section 498-A/406/34 IPC, was



registered at PS Binda Pur, 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 12.02.2025.

The compromise/MOU settlement dated 12.08.2024 entered into between the parties is on record as Annexure – P-2 at page 28. 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.

Respondent no. 2 states that she has no objection whatsoever if FIR no. 701/2021, Under Section 498-A/406/34 IPC, was registered at PS Binda Pur, Delhi against the petitioners is quashed. There is no child born out of the wedlock. Respondent no. 2 has already been granted divorce by Mutual consent in HMA No. 3520/2024 vide divorce decree dated 04.12.2024 as Annexure P-3 page no. 36. Respondent no. 2 undertakes to fully cooperate in quashing of the present FIR and withdrawal of all/any other connected case, if any.

This pre verified report along with the petition may be placed before the Hon'ble Court on **28th March, 2025** alongwith the statements recorded today.”

10. Respondent No. 2 submits that the matter has been settled with the petitioners and she has no objection if the present FIR and the consequential proceedings emanating therefrom including the chargesheet are quashed. She further states that all the terms of the settlement have been complied with.

11. In view of the settlement between the parties, learned Standing Counsel (Crl.) for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

12. In *Gian Singh vs. 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.”

13. 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. 701/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Bindapur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned JMFC, Mahila Court, Dwarka Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 701/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Bindapur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned JMFC, Mahila Court, Dwarka Courts, Delhi, are hereby quashed.

15. Petition is allowed and disposed of accordingly.

16. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MARCH 28, 2025/bsr

Click here to check corrigendum, if any