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

+ **CRL.M.C. 1018/2025**

AMAR SINGH

.....Petitioner

Through: Mr. Amit Samania, Adv. (through VC)
versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State and Ms. Mansi Sharma, Adv.
SI Jyoti, PS Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

25.04.2025

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1. This hearing has been done through hybrid mode.

CRL.M.C. 1018/2025

2. The present petition under Section 528 of the BNSS seeks quashing of FIR No. 581/2016, under Section 498A/406/34 IPC, registered at PS Hari Nagar, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Shruti Sharma, Ld. Judicial Magistrate First Class, Tis Hazari Courts, Delhi.

3. The marriage between the petitioner/husband and the respondent no.2/wife was solemnized on 15.11.2005 as per Hindu Rites and Customs and one male child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner and respondent no. 2, the parties resided separately from 15.04.2012. Subsequently, respondent no.2/complainant lodged an FIR against the petitioner (husband).

6. On 31.07.2024, parties arrived at a settlement and as per the said

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settlement deed, petitioner no. 1 has agreed to pay an amount of Rs. 5,25,000/- to the respondent no.2/wife (son Rohit) by way of a DD/pay order towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future.

7. Petitioner and complainant/respondent no. 2 are present before the Court in person and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Jyoti, PS Hari Nagar.

8. 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 25.02.2025:

“Today, statement of respondent no. 2 has been recorded, wherein she has confirmed that the a demand draft handed over to her on the last date of hearing for a total sum of Rs. 1,00,000/- bearing no. 022517 drawn on Axis Bank, dated 02.01.2025 stands duly realized in her favour. Further she states that she has no objection if the FIR No. 581/2016, Under Section 498-A/406/34 IPC, registered at PS Hari Nagar, Delhi and all proceedings emanating there from are 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 13.02.2025.

The compromise/settlement entered into between the parties is on record as Annexure - C at page 50 to 53. 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 has also been granted divorce by Mutual consent in HMA No. 3229/2024 vide divorce decree dated 16.12.2024 as Annexure D at page no. 54.

As per settlement, the custody of minor child namely Ronit Chauhan, shall remain with Respondent no. 2 without any visitation rights to the petitioner or any of his family members or relatives. The settlement arrived at between the parties is without prejudice to the rights of minor child.

Respondent no. 2 has been identified by her counsel.”

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9. 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.

10. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

11. 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.”

12. 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. 581/2016, under Section 498A/406/34 IPC, registered at PS Hari Nagar, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Shruti Sharma, Ld. Judicial Magistrate First Class, Tis Hazari Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. FIR No. 581/2016, under Section 498A/406/34 IPC, registered at PS Hari Nagar,

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Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Shruti Sharma, Ld. Judicial Magistrate First Class, Tis Hazari Courts, Delhi, is hereby quashed.

14. It is however directed that this order shall not come in the way of the minor child in claiming her rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

15. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 25, 2025/kr/pr

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

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