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

+ **W.P.(CRL) 516/2025**

NITIN SEHGAL & ORS.

.....Petitioners

Through: Mr. Bharat Dubey, Mr. Shubhlaxmi Dubey, Dr. Soniya Dubey, Ms. Taniya Kapoor, Ms. Ayesha Sharif, Ms. Sofiya Rathore, Advs.
Petitioners-in-person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Mr. Abhinav Kr. Arya, Mr. Aryan Sachdeva, Advs.
SI Sandeep, PS DBG Road.
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.02.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 214/2024, under Sections 498A/406/506/34 of the IPC, registered at P.S. Desh Bandhu Gupta Road, Delhi.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 08.09.2005 as per Hindu Rites and Customs and two children were born out of the said wedlock.
4. Due to matrimonial differences between petitioner no. 1 and respondent



no. 2, the parties started to reside separately from 21.03.2020. Subsequently, respondent no.2/complainant lodged a complaint against petitioner no. 1 (husband), petitioner no. 2 (father-in-law) and petitioner no. 3 (mother-in-law), petitioner no. 4 (Paternal Uncle of petitioner no. 1), petitioner no. 5 (Paternal Aunt of petitioner no. 1), petitioner no. 6 (cousin of petitioner no. 1) & petitioner no. 7(sister-in-law of petitioner no.1).

5. Learned counsel for the petitioners submits that parties have arrived at a settlement *vide* mediation order dated 22.10.2024 (Annexure-C). The matter was listed before the learned Joint Registrar on 13.02.2025, who after verification of the mediation order had passed the following order:-

“Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement. Statement of IO also recorded regarding identification of Respondent no. 2.

Respondent no. 2 lodged FIR No. 0214/2024, Under Section 498-A/406/506/34 IPC, at PS DBG Road, Delhi and charge-sheet has not been filed against the petitioners till date.

Now, Respondent no. 2 has voluntarily and without any pressure or coercion after obtaining due legal advice entered into compromise with the petitioners before Mediation Cell, Tis Hazari Courts, Delhi, Vide Settlement dated 22.10.2024 which is on record as Annexure – C at page 41 to 45 bearing her signatures without any monetary or any other consideration. As per the settlement, Respondent no. 2 has received her gold articles and Respondent no. 2 shall not claim anything with regards to maintenance or alimony from the petitioner no. 1 in future by way of any litigation. Respondent no. 2 shall also not stake any claim on any property of the petitioner no. 1 or any others petitioners.

Now, as the terms of the settlement have been complied with, Respondent no. 2 has no objections, if the FIR No. 0214/2024, Under Section 498-A/406/506/34 IPC, was registered PS DBG Road, Delhi is quashed against all the petitioners.

Respondent no. 2 has already obtained divorce from petitioner no. 1 in HMA No. 1895/2024 vide divorce decree dated 14.11.2024 as



Annexure B, Page No. 40. Respondent no. 2 has given her affidavit of entering into settlement which is at 46-47 as Annexure D bearing her signatures. Respondent no. 2 undertakes to withdraw all other cases instituted against the petitioners by me, if any.

As per settlement, the custody of two minor children namely Manya Sehgal and Prerak Sehgal shall remain with petitioner no. 1 (father) and Respondent no. 2 shall have the visitation rights as per the settlement in terms of para 4(f) at page 43 as Annexure – C but Respondent no. 2 shall not claim custody of the children. However, this settlement is without prejudice to the rights and interest of the children.

Respondent no. 2 shall fully cooperate with regards to the visitation rights and reserve her right to take appropriate orders from the court of law in case of any default or alteration by the petitioners.

Respondent no. 2 has been identified by her counsel.

This pre verified report along with the petition may be placed before the Hon'ble Court on **21st February, 2025** alongwith the statements recorded today.”

6. In addition, clause ‘g’ in the mediation order dated 22.10.2024 has been pointed out by the learned counsel which reads as under: -

“(g) It is agreed between the parties that respondent no. 1/husband shall bear all the day to day expenses of both the children and education fees .”

7. It is submitted by the learned counsel for the petitioner no. 1 that the latter undertakes to adhere to the aforesaid condition.

8. In terms of the aforesaid settlement, the marriage between the parties already stands dissolved by a decree of divorce dated 14.11.2024, passed by Mr. M.P. Singh, Judge, Family Courts, Central District, Tis Hazari Courts, Delhi (Annexure-B).

9. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsels, as well as the Investigating Officer, Sub Inspector Sandeep, P.S. Desh Bandhu Gupta Road.



10. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the present FIR is quashed against the petitioners. 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 for the State also has no objection if the present FIR is quashed. It is submitted by the learned Standing Counsel that investigation in the present case was not complete and, therefore, the chargesheet has not been filed yet.

12. 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.”

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. 214/2024, under Sections 498A/406/506/34 IPC, registered at P.S. Desh Bandhu Gupta Road, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 214/2024, under Sections 498A/406/506/34 IPC, registered at PS Desh Bandhu Gupta Road, Delhi, is hereby quashed.

15. It is however directed that this order shall not come in the way of the children in claiming their rights of inheritance, maintenance, educational &



marriage expenses, etc. against any of the parties.

16. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 21, 2025/kr/sc

Click here to check corrigendum, if any