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

+ **CRL.M.C. 1114/2025**

DHARMENDRA SINGH AND ANR

....Petitioners

Through: Mr. Hitesh Sharma, Adv with
petitioner no. 1 in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for the State.
Ms. Rekha Sharma, Adv. for R-2
alongwith R2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.03.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 5066/2025 (exemption)

2. Allowed, subject to all just exceptions. This application is disposed of accordingly.

CRL.M.C. 1114/2025

3. The present petition under Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 1288/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajoria, learned Judicial Magistrate First Class (Mahila Court-02), North West District, Rohini Courts, Delhi.

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



no.2/wife was solemnized on 21.02.2007 as per Hindu rites and customs and three children were born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties have been residing separately for the last four years. Subsequently, respondent no.2/complainant lodged a complaint against the petitioners, and on the basis of that the aforementioned FIR no. 1288/2016 under Sections 498A/406/34 of the IPC, came to be registered at PS Aman Vihar.

6. Learned counsel for the petitioner submits that in pursuance of the Settlement Agreement dated 23.09.2023, parties arrived at settlement before the Family Courts, North West Rohini. It is further stated that the parties are presently living together, at their matrimonial home since September, 2023, alongwith their children.

7. Petitioner no. 1 and complainant/respondent no. 2 are present before the Court today and have been duly identified by their respective counsels, as well as the Investigating Officer, S.I. Ravindra, P.S. Aman Vihar.

8. The Complainant/respondent no.2 states that the matter has been settled and as per the terms of the settlement deed, she is living with petitioner no. 1 along with their children since September, 2023, at their matrimonial home and she has no objection if the FIR and the subsequent proceedings emanating therefrom including the chargesheet are quashed against the petitioners.

9. The matter was placed before the worthy Joint Registrar (Judicial) who has recorded the statements of both the parties and passed the following order dated 05.03.2025:

“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. 1288/2016, Under Section 498-A/406/34 IPC, registered at PS Aman Vihar, Delhi against the petitioners 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 after obtaining due legal advice entered into settlement deed with the petitioners during counseling proceedings in the Court of Judge Family Court, Rohini Court, Delhi. The counseling settlement deed dated 23.09.2023 is on record as Annexure P-2 at page 48 bearing her signatures.

As per settlement, now Respondent no. 2 is happily residing with the petitioner no. 1 (Sh. Dharmender Singh) along with other petitioners 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. 1288/2016, Under Section 498-A/406/34 IPC, registered at PS Aman Vihar, Delhi and all proceedings emanating there from is quashed by the Hon'ble Court against all the petitioners. Respondent no. 2 shall abide by all the terms of the settlement deed.

Respondent no. 2 has been identified by his counsel.

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

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

11. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, the Hon'ble Supreme Court has recognised 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. 1288/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajoria, learned Judicial Magistrate First Class (Mahila Court-02), North West District, Rohini Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 1288/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajoria, learned Judicial Magistrate First Class (Mahila Court-02), North West District, Rohini Courts, Delhi, are hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 21, 2025/kr/Pc

Click here to check corrigendum, if any