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

+ **CRL.M.C. 1355/2025**

KAMLESH

.....Petitioner

Through: **Ms. Madhu Singh, Advocate**

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: **Mr.Digam Singh Dagar, APP with
SI Raghu Raj Singh, PS Sangam
Vihar
Mr.Devender Singh, Advocate for
R-2 with Respondent No.2 in
person.**

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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07.08.2025

Crl.M.A. No. 5969/2025 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

Crl.M.C. No. 1355/2025

1. Petitioner herein seeks quashing of an FIR bearing No. 99/2014 dated 18.02.2014 under Sections 498A, 506 and 34 of IPC, registered at P.S. Sangam Vihar, Delhi, along with all the proceedings arising therefrom, on the basis of the compromise between the parties.
2. Dispute between the parties arose due to the matrimonial discord between Petitioner no.1 (Husband) and Respondent no.2 (Wife) stated to



be caused by temperamental differences between them. The couple got married on 16.01.2009, according to Hindu rites, however, they are living separately since 01.11.2013. Two children are also born out of the wedlock, presently in the care and custody of Respondent no.2

3. Learned Counsel for the petitioner submits that the parties, with the help of elders and near relatives, of their own volition and without any coercion or undue influence from any quarter, have now amicably settled their disputes *vide* settlement deed dated 21.02.2024 which is placed on record as Annexure P7.

4. In the aforesaid backdrop, I have heard the rival contentions and also interacted with the Complainant/Respondent no.2 in person. On a Court query put to the complainant, she candidly submits that she has amicably settled the dispute out of her own volition, without any duress or coercion and pursuant thereto, has also obtained a divorce decree dated 23.09.2020 by mutual consent from the competent Family Court.

5. In response to a Court query, both the counsel for Respondent No. 2 and the learned Public Prosecutor for the State concur with the factum of the compromise arrived between the parties and convey their no objection to the quashing of the FIR.

6. In the aforesaid backdrop, I have heard learned counsel for the Petitioner and Respondent No.2 as well as perused the material available on record.

7. Having interacted with the complainant and given that the dispute appears to be an entirely family matter and purely private in nature, not involving either public interest or societal interest, it would be an exercise in futility to continue with the further criminal proceedings. It



would amount to an abuse of the process of law, apart from imposing a heavy burden on the judicial system and causing wasteful expenditure of public funds by the prosecution.

8. The genuineness of the compromise is not in dispute. However, since the Trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. In the premise and in the larger interest of justice by invoking inherent powers vested with this Court under Section 528 of BNSS, it is deemed expedient to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

9. Taking a wholesome view, and in order to let the parties to enter mutual cordiality and family bonhomie which will go a long way in establishing peace rather than promoting hostility in case further proceedings continue, this is a fit case to exercise inherent power under 528 of BNSS in quashing the FIR in question.

10. Accordingly, the petition is allowed and the FIR bearing No. 99/2014 dated 18.02.2014, registered at P.S. Sangam Vihar for the offences punishable under Sections 498A, 506 and 34 of the IPC, along with all consequential proceedings arising there from are hereby quashed.

11. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

AUGUST 7, 2025/SV