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

+ **CRL.M.C. 1520/2025**

ROHITKUMAR AKHILESH JHA & ORS.Petitioners

Through: Ms. Shalini Sengar, Adv.
Petitioners in person.(through vc)

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Yogesh, P.S.Neb Sarai.
Ms. Divyanshi Singh and Ms. Dipika
Chauhan, Adv. for R-2 with R-2 in
person (through vc)

**CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA**

ORDER
% **21.03.2025**

CRL.M.A. 6836/2025 EXEMPTION

Allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 1520/2025

1. This is a petition under section 482 of the Code Of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, on behalf of the petitioner, seeking quashing of FIR No. 0747/2022, dated 12.12.2022, P.S Neb Sarai, New Delhi under 498-A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. It has been submitted that marriage of petitioner No.1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 01.12.2021 in Bihar. There were temperamental differences between the petitioner No. 1 and respondent No. 2 and both the parties were not compatible in each other company and due to some misunderstanding the present FIR got registered by respondent No. 2 against the petitioners.

3. Learned counsel for the petitioner submits that the matter has been amicably settled between petitioner and respondent No. 2 and as per said settlement, it was agreed between the parties that petitioner shall pay an amount of Rs. 12,00,000/- (Rs Twelve Lakh Only) to respondent No. 2 towards full and final settlement. It is submitted that it has been agreed that the said amount of settlement shall be paid in three instalments. Further, respondent No. 2 undertook to cooperate with the petitioner in quashing proceedings. Copy of the Memorandum of Understanding (MoU) dated 05.09.2024 has been placed on record as Annexure A-2.

5. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“03.03.2025

Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 lodged FIR No. 747/2022, Under Section 498-A/406/34 IPC, registered at PS Neb Sarai, Delhi.

Now, Respondent no. 2 has voluntarily and without any pressure or coercion from anyone settled all her issues and disputes with both the petitioners and out of her free will have entered into compromise/MOU/Settlement dated 05.09.2024 which is on record as Annexure A-2 at page no. 29 bearing her signatures.

As per the settlement, Respondent no. 2 has already received the settlement amount for a sum of Rs. 8,00,000/- and today Respondent no. 2 has received sum of Rs. 4,00,000/- via online transfer through ICICI Bank vide transfer ID 506211745737. Accordingly, Respondent no. 2 has no



objections, if the FIR No. 747/2022, Under Section 498-A/406/34 IPC, registered at PS Neb Sarai, Delhi and all proceedings emanating there from is quashed against the petitioners. Respondent no. 2 states that she undertakes to withdraw all other cases instituted by her against the petitioners, if any remaining.

This settlement amount is towards settlement of all her articles and Stridhan as well as towards her alimony and maintenance past, present and future whatsoever and Respondent no. 2 shall not claim anything in this regards in future by way of any litigation. There is no child born out of the wedlock.

Respondent no. 2 has already obtained divorce from petitioner no. 1 in HMA No. 2082/2024. The divorce decree is on record as Annexure A-2 at page 28. Now Respondent no. 2 has no objection whatsoever if the present FIR against the petitioner is quashed and Respondent no. 2 shall fully cooperate in quashing of the present FIR and raise no claim in future through any civil or criminal litigation with regards to the incident relating to the present FIR. Respondent no. 2 has also given her affidavit on no objection for quashing of the present FIR which is at page no. 32-33 of the petition bearing her signatures.

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.”

6. Petitioners and respondent No. 2 have appeared before this Court through video conferencing with their respective counsels. They have been identified by their respective counsels as well as by the Investigating Officer SI Yogesh from P.S.Neb Sarai.
7. 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.
8. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR is quashed.
9. In *Gian Singh vs 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."

10. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0747/2022 under 498-A/406/34 IPC, registered as P.S.Neb Sarai and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR No. 0747/2022 under 498-A/406/34 IPC, registered as P.S.Neb Sarai and all the other consequential proceeding emanating therefrom, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MARCH 21, 2025/r/f