



2025:DHC:3963



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

% **Date of decision: 16.05.2025**

+ CRL.M.C. 1579/2025

DEEPAK KUMAR & ANR.

.....Petitioners

Through: Mr. Kamal Chauhan, Adv.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP
for State with SI Ravindra, PS
Aman Vihar.
Ms. Prakriti Kapoor, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking to quash the FIR No. 62/2011 dated 09.03.2011 under Sections 324/365/34 of the Indian Penal Code, 1860, registered at P.S. Aman Vihar and all consequential proceedings arising therefrom.

2. The learned respondent no. 2 submits that her former husband has filed the CRL. M.C. No. 770/2015, seeking to quash the subject FIR. On the basis of the Mediation Settlement dated 17.05.2013



arrived between them before the Delhi Mediation Centre, Rohini District Courts, Delhi the subject FIR *qua* her former husband, Manoj Saini, was quashed by the Co-ordinate bench of this Court *vide* Order dated 24.08.2015. However, at that time no such settlement could be reached with the present petitioners.

3. At this stage, it is apposite to refer to the aforesaid decision of the Co-ordinate bench of this Court. The relevant extract of the same reads as under:

“Applying the afore-noted dictum to the facts of instant case and upon hearing and on perusal of FIR in question and affidavit of petitioner placed on record, I find that the instant FIR is an off-shoot of a matrimonial dispute between the parties, which now stands amicably resolved and the misunderstanding which led to registration of FIR in question now stands cleared between the parties and, therefore, continuance of proceedings arising out of FIR in question would be an exercise in futility.

Accordingly, this petition is allowed subject to cost of Rs. 10,000/-.

At this stage, counsel for petitioner volunteers that the cost of `10,000/- shall be paid to respondent No.2 by way of demand draft within two weeks.

*Subject to petitioner handing over cost of `10,000/- to respondent No.2 and placing on record receipt of cost within two weeks, FIR No.62/2011 under Sections 324/365/34 IPC, registered at Police Station Aman Vihar, Delhi and the proceedings emanating therefrom shall stand quashed *qua* petitioner.”*

4. The learned counsels for the parties submit that now with the intervention of the family members, relatives, and mutual



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acquaintances, the matter has been voluntarily and amicably settled between the parties *vide* the settlement deed dated 21.08.2024 executed in the Delhi Mediation Centre, Rohini Court. In furtherance thereof, the petitioner no. 1 and petitioner no.2 has undertaken to give settlement amount of Rs. 2,20,000/- to the respondent no. 2 as a full and final settlement of all her claims.

5. The present petition is premised on the assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. It is further submitted that, in terms of the said Settlement, the respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora. The said Settlement dated 21.08.2024 embodying the terms of settlement has been placed on record.

6. Pursuant to this Settlement, the Statement of the parties have been recorded by the Registrar on 17.04.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in her statement before the Registrar, has stated therein, that she has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed.

7. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

8. The respondent no. 2, who is present in court, upon being queried, confirms that she entered into the said Settlement out of her free will, without any coercion, force or undue influence and that she



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has withdrawn the litigations filed by her before different Judicial fora. The respondent no. 2 submits that she has received the entire settlement amount of Rs. 2,20,000/- from both the petitioners in cash *vide* three instalments of Rs. 20,000/- on 21.08.2024, Rs. 1,00,000/- on 25.10.2024 and Rs. 1,00,000/- on 17.04.2025. Furthermore, she submits that no other litigation stands pending between the parties and she has no objection if the subject FIR is quashed.

9. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

10. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.

11. In view of these circumstances, in line with the law laid down by the Supreme Court *in Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

12. In conspectus of the above facts, as the subject FIR qua her former husband was quashed and the matter is now settled between the respondent no. 2 and the present petitioners as per the Mutual Compromise/Settlement dated 21.08.2024, the subject FIR bearing No. 62/2011 dated 09.03.2011 under Sections 324/365/34 of the



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Indian Penal Code registered at P.S. Aman Vihar and all consequential proceedings emanating therefrom, are hereby quashed qua the petitioners.

13. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 16, 2025/ss/kp

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