



2025:DHC:4709



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 30.05.2025

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CRL.M.C. 1643/2025 & CRL.M.A. 7432/2025

VISHAL VASHISHT ALIAS VISHAL
SHARMA & ORS.

.....Petitioners

Through: Mr. Nikunj Yadav, Adv.
through VC along with
Petitioners no.1-3 through VC.

versus

STATE NCT OF DELHI AND ANR.

... Respondents

Through: Mr. Satinder Singh Bawa, APP
for the State with SI Manisha,
PS-Punjabi Bagh.
Mr. Susheel Kumar Tiwari,
Adv. for R2 through VC along
with R2 through VC.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)**RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0649/2019, dated 20.11.2019, registered at P.S Punjabi Bagh under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 19.02.2018 as per Hindu rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since March 2019. Thereafter, Respondent No.2 filed the following cases against the petitioners:

- i. Execution petition bearing No. 213/2022
- ii. Criminal Case bearing No. 11007/2021
- iii. Maintenance case bearing Mt. case No. 186/2021
- iv. Complaint under section 12 of the DV Act
- v. FIR No. 0649/2019 under sections 498A/406/34 IPC

3. During the proceedings, the parties have amicably resolved their disputes and executed a Compromise/Settlement Deed dated 01.09.2022. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court, Tis Hazari Courts allowed the mutual divorce petition on 08.12.2023, thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn and all conditions of the Settlement Agreement including the payment of the total settlement amount of Rs. 15,00,000/- (Rupees fifteen lacs) to the Respondent No.2 have been fulfilled as per the schedule mentioned in the



Settlement Deed. The copy of Compromise/Settlement Deed dated 01.09.2022 has been placed on record as Annexure B.

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

“23.05.2025

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking quashing of the FIR NO. 649/2019 Under Section 498-A/406/34 IPC PS Punjabi Bagh, Delhi on the basis of family settlement deed arrived at between the petitioners and R-2.

2. Vide order dated 07.03.2025, statement of the parties have already been recorded.

3. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

4. In view of the above, matter be placed before the Hon'ble Court on 30.05.2025.

5. Petitioner nos.1 to 3 and respondent no.2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Manisha from PS Punjabi Bagh.

6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the total settlement amount of Rs. 15,00,000/- (Rupees fifteen lacs) from the Petitioner No.1 as per the schedule mentioned in the



Compromise/Settlement Deed dated 01.09.2022. She further submits that she has no objection if the FIR No. 0649/2019 is quashed against the petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0649/2019 is quashed.

8. 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."

9. 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. 0649/2019, dated 20.11.2019, registered at P.S Punjabi Bagh under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0649/2019, dated 20.11.2019, registered at P.S Punjabi Bagh



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under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

MAY 30, 2025/AK

