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

+ CRL.M.C. 1678/2025 & CRL.M.A. 7566/2025

SACHIN AWANA & ORS.

.....Petitioners

Through: Mr. Malkhan Singh, Adv. with
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
SI Sushil, P.S. Jaitpur.
Mr. Hariom Naagar, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **01.05.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the Cr.P.C. (New 528 of the BNSS) seeks quashing of FIR No. 618/2018 under Sections 498A/406/494/201/34 of the IPC, registered at P.S. Jaitpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Archita Garg, learned Judicial Magistrate First Class, South-East, Saket Courts, Delhi.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 16.04.2007 as per Hindu Rites and Customs and one female child was born out of the said wedlock.
4. Due to matrimonial differences between petitioner no. 1/husband and

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respondent no. 2/wife, the parties resided separately from 18.03.2015. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law) and petitioner no. 3 (mother-in-law), petitioner no.4 (sister-in-law) and petitioner no.5 (brother-in-law).

5. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2 *vide* a Memorandum of Understanding dated 10.01.2025 and in pursuance of which respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed. In pursuance of the aforesaid settlement, the parties are living together.

6. Petitioners and complainant/respondent no. 2 are present before the Court today and have been duly identified by the Investigating Officer, SI Sushil, P.S. Jaitpur as well as their respective counsel.

7. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 08.04.2025:

“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. 618/2018, Under Section 498-A/406/494/201/34 IPG, registered at PS Jaitpur, Delhi and charge sheet has been filed against the petitioners.

Respondent no. 2 has voluntarily and without any pressure or coercion from anyone and after obtaining due legal advice settled all her issues and disputes with the petitioners and out of her free will have entered into Mediation Settlement dated 10.01.2025 with the petitioners, which is on record as Annexure - P-2 at page 43 to 47 bearing her signatures followed by true translated copy of the mediation settlement.

As per settlement, Respondent no. 2 Is happily residing with the petitioner no. 1 (Sh. Sachin Awana) along with other petitioners in her matrimonial home peacefully after reconciling all the issues

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and disputes.

As per the settlement, Respondent no. 2 has no objection if FIR bearing No. 618/2018, Under Section 498-A/406/494/201/34 IPG, registered at PS Jaitpur and all proceedings emanating there from are quashed by the Hon'ble Court qua all the petitioners. There is no other case pending between me and the petitioners.

Respondent no. 2 undertakes to withdraw all Other cases, if any remaining. Respondent no. 2 is making this statement voluntarily in the presence of her counsel & 10 as well as her husband. Respondent no. 2 is fully aware of the consequences of making this statement. Respondent no. 2 shall cooperate in quashing of the present FIR. Respondent no. 2 shall also abide by all terms of the settlement. Respondent no. 2 shall not institute any other civil or criminal proceedings against the petitioners with respect to the facts and events for which the abovesaid FIR was registered.

Respondent no. 2 & Petitioner no. 1 has been identified by his counsel.

This pre verified report along with the petition may be placed before the Hon'ble Court on 01" May, 2025 alongwith the statements recorded today.”

8. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed, subject to cost.

9. In **Gian Singh vs. State of Punjab, (2012) 10 SCC 303**, the 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 proceeding.”

10. In view of the aforesaid circumstances, and the fact that the parties have

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put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 618/2018 under Sections 498A/406/494/201/34 of the IPC, registered at P.S. Jaitpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Archita Garg, learned Judicial Magistrate First Class, South-East, Saket Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 618/2018 under Sections 498A/406/494/201/34 of the IPC, registered at P.S. Jaitpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Archita Garg, learned Judicial Magistrate First Class, South-East, Saket Courts, Delhi, are hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

14. Copy of the order be communicated to the concerned learned Trial Court for necessary information and compliance.

15. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 1, 2025/nk/sc

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