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

+ **CRL.M.C. 1689/2025**

PAWAN SINGH NEGI & ORS.

.....Petitioners

Through: Petitioner Pawan Singh Negi, Mr. Bhagat Singh Negi, Ms. Prema Negi, Mr. Praveen Singh Negi are present through VC with Mr. Beer Singh Negi, Mr. Harish Kumar Sharma & Ms. Poornima Madaan Sharma, Advocates

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Hitesh Wali, APP for State with ASI Rohit, PS Burari.
Ms. Rashmi Kumari @ Rashmi Negi, R-2 is present through VC with Mr. Mahinder Kumar, Mr. Bijender Kumar Gupta & Mr. Anit Kumar Saini, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

02.04.2025

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CRL.M.A. 7581/2025 EXEMPTION

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1689/2025

1. This is a petition under section Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Code Of Criminal Procedure, 1973, on behalf of the petitioner, seeking quashing of FIR No. 904/2021, dated 02.11.2021, P.S Burari under sections 498A/ 406/ 34 IPC



and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between the petitioner no.1 and respondent no.2 was solemnized on 12.10.2018 according to Hindu rites and ceremonies and one child named Shruti (now aged about four years) has been born from the said wedlock, who is under the care and custody of respondent no.2.

3. That due to some marital disputes, petitioner no. 1 and respondent no.2 is residing separately since 26.11.2020. The Petitioner no.1 filed a petition u/s 9 of the Hindu Marriage Act against respondent no.2, while respondent No.2 initiated legal proceedings under the Domestic Violence Act and Section 125 Cr.P.C. Additionally, an FIR No. 904/2021 was registered under Sections 498A/406/34 IPC at P.S. Burari, Delhi, leading to filing of the charge sheet.

4. During the pendency of these cases, the matter was referred to Delhi Mediation Centre, Tis Hazari Courts, where petitioner no.1 and respondent no.2 reached an amicable settlement on 01.10.2024. As per settlement, it was agreed between the parties that petitioner no.1 shall pay to the respondent no.2 a sum of Rs.16,00,000/- (Rupees Sixteen Lakhs only) towards full and final settlement of all her claims including Istridhan, maintenance, and permanent alimony etc. The copy of mediation settlement dated 01.10.2021 has been placed on record as Annexure P-3.

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

“21.03.2025

R-2 appeared in person through VC. In order to identify her identity, her fathers names and address has been asked to which she has given correct reply as per the particulars recorded on the last date of



hearing when her statement was recorded in the court, when she was identified by the IO.

Respondent no. 2 has appeared through VC, and submits that the demand draft for a sum of Rs. 5,40,000/- bearing no. 000553 drawn on HDFC Bank, dated 03.03.2025 handed over to her on the last date of hearing stands duly honoured and nothing else remains due in this case and Respondent no. 2 has no objection if FIR No. 904/2021, Under Section 498-A/406/34 IPC, was registered at PS Burari, Delhi and all proceeding emanating there from is quashed qua the petitioners..

The statement of Respondent no. 2 to ascertain the veracity and the genuineness of the parties entering into settlement was recorded on 11.03.2025.

The Mediation/settlement dated 01.10.2024 entered into between the parties is on record as P-3 at page 81 to 90.

As per the settlement, the respondent no. 2 has now received the total settlement amount towards her article, stridhan as well as towards 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.

Respondent no. 2 states that she has no objection whatsoever if FIR no. 904/2021, Under Section 498-A/406/34 IPC, registered at PS Burari, Delhi, against the petitioners is quashed.

Respondent no. 2 has also been granted divorce by Mutual consent in HMA No. 321/2025 vide decree dated 27.02.2025 which is on record Annexure P-2 at page 52 to 80.

As per settlement, the custody of minor child namely Shruti, shall remain with respondent no. 2 without any visitation rights to the petitioner or any of her family members or relatives. It is agreed between the parties that the settlement amount also included maintenance of the child. However, the settlement arrived at between the parties is without prejudice to the rights of minor child.

Respondent no. 2 shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR and withdrawal of any other case, if any as per the settlement. Respondent no. 2 undertakes to fully cooperate in quashing of the present FIR and withdrawal of all/any other connected case, if any. Respondent no. 2 & 3 has been identified by their counsel.

Respondent no. 2 further states that she 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 in support of the present petition which is at page no. 33-34 of the petition bearing her signatures.



This pre verified report along with the petition may be placed before the Hon'ble Court on 02nd April, 2025.

6. Petitioners and respondent No. 2 have entered their appearances through video conferencing. They have been identified by their respective counsels as well as by the Investigating Officer ASI Rohit, PS Burari.

7. Respondent no. 2 states that the matter has been amicably settled with the petitioners and she has received Rs. 16,00,000/- as per settlement and 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. 904/2021, dated 02.11.2021, P.S Burari under sections 498A/ 406/ 34 IPC and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR 904/2021, dated 02.11.2021, under sections 498A/ 406/ 34 IPC, registered as P.S Burari along with the charge sheet 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.

APRIL 2, 2025

RM/r