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

+ **CRL.M.C. 1727/2025**

SH. SUMIT MASIWAL AND ORS

.....Petitioners

Through: Mr.Rohit Sharma and Mr.Pradeep
Sachdeva, Advocates along with the
Petitioners

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr.Digam Singh Dagar, APP for the
State
Ms.Ayushi Singhal, Advocate for R-2
(VC) along with the complainant

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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05.08.2025

CRL.M.A. 7771/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 1727/2025

1. Compromise quashing of an FIR No. 1028/2021 dated 07.12.2021 registered at Police Station Dabri, for the offences punishable under Sections 498A/406/34 IPC is sought herein.
2. Dispute between the parties arose from the matrimonial discord between Petitioner No. 1(husband) and Respondent No. 2(Wife), stately caused by difference between them. The couple got married on 07.07.2018 as per Hindu rites and customs.



3. Petitioner No.2 (Brother), Petitioner No. 3(father) are family members of Petitioner No.1 who have been arrayed as co-accused in the FIR.
4. The learned counsel for the petitioners submits that the parties, with the help of near relatives and respectable members of the society, out of their own volition and without any coercion or undue influence have settled all their disputes vide settlement deed dated 12.08.2024.
5. In the aforesaid backdrop, I have heard the rival contentions and also interacted with the complainant in person. On a Court query put to the complainant, she candidly submits that she has arrived at mutual settlement on her own volition without any duress or coercion and pursuant thereto, have also obtained divorce by mutual consent from competent family Court *vide* decree dated 16.11.2024.
6. It is now stated that the allegations leveled in the FIR arose out of heated tempers as a result of the matrimonial altercations.
7. Having heard the counsel and interacted with the complainant and given that it seems to be an entirely family matter not involving either in public interest or any societal interest, it would be an exercise in futility to continue with the further criminal proceedings. The same would be nothing but abuse of the process of law apart from the heavy burden on the judicial system as well as wasteful expenditure of the public by the prosecution.
8. The petitioners has shown remorse for their conduct and apologised on the misunderstanding which led to the verbal duel and registration of the FIR.
9. The genuineness of compromise is not in dispute. However, since the trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped.



10. Dispute between the parties are purely private in nature, which arose due to matrimonial discord.

11. Taking a wholesome view and in order to let the parties to enter mutual cordiality and the family bonhomie which will go long way to establish peace rather than promote hostility in case further proceedings continue, this is a fit case to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of ***Gian Singh Vs. State of Punjab & Anr., (2012) 10 SCC 303.***

12. The petition is allowed and the FIR No. 1028/2021 dated 07.12.2021 registered at Police Station Dabri, for the offences punishable under Sections 498A/406/34 IPC, along with all consequential proceedings arising there from are hereby quashed.

13. The petition stands disposed of.

ARUN MONGA, J

AUGUST 5, 2025

Nk/dy