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

+ W.P.(CRL) 836/2025 & CRL.M.A. 7780/2025 (Exemption)

JATIN KAUSHIK & ORS.

.....Petitioners

Through: Mr. Arvind Kaushik and Mr. Vipin
Attri, Advocates.
Petitioners in person.

versus

THE STATE & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(criminal) for the State.
SI Kuldeep Kumar, PS Raj Park.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

05.05.2025

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1. This hearing has been done through hybrid mode.
2. The present petition filed under Article 226 of the Constitution of India read with Section 528 of the BNSS seeks quashing of FIR No. 656/2022, under Sections 498A/406/34 of the IPC registered at P.S. Raj Park.
3. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 21.02.2020 as per Hindu rites and ceremonies.
4. No child was born out of the said wedlock.
5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 08.08.2022. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.
6. On 26.10.2024, parties arrived at a settlement before the Delhi Mediation Centre, Rohini District Courts, Delhi and as per the said settlement



deed, petitioner no.1 has agreed to pay an amount of Rs. 32,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future. The copy of the aforesaid settlement deed dated 26.10.2024 is on record (Annexure B).

7. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 10.01.2025, passed by Shri Prem Kumar Barthwal, Principal Judge, Family Court (North), Rohini Courts, Delhi (Annexure C).

8. The matter was listed before the learned Registrar on 11.03.2025 wherein it was recorded as under:-

“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. 656/2022 Under Section 498A/406/34 IPC PS Rajpark Delhi on the basis of family settlement deed arrived at between the petitioners and R-2.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 26.10.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between her and petitioners has been amicably settled as per the settlement deed dated 26.10.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. She has signed the settlement deed with her wish and will.

4. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

5. Investigating Officer is present in Court and has duly verified the identity of both the parties. Vide separate statement recorded in this behalf, Investigating Officer stated that the charge sheet has been filed in the present matter. He identified the prosecutrix/victim/R-2. He has also identified the petitioners who are accused in the present matter. He has



also verified the settlement deed executed between the parties.

6. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

7. It is observed that notice of the present petition has not been served upon R-1. As prayed, let notice to R-1 be served by all permissible modes on filing of PF for the next date of hearing. Let notice be issued to R-1 to be served through Standing Counsel for the next date of hearing.

8. Renotify on 09.04.2025.”

9. Petitioners are present in person and complainant/respondent no. 2 is present through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Kuldeep Kumar, PS Raj Park.

10. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

11. Learned Standing Counsel for the State submits that the FIR is pending investigation, however, in view of the settlement between the parties, he has no objection if the present FIR is quashed.

12. In *Gian Singh v. 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.”



13. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 656/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Raj Park.

14. In the interest of justice, the petition is allowed, and the FIR No. 656/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Raj Park, is hereby quashed.

15. Petition is allowed and disposed of accordingly.

16. Pending application(s), if any, also stand disposed of.

MAY 05, 2025/sn/pr

AMIT SHARMA, J

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