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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1766/2025, CRL.M.A. 7973/2025, CRL.M.A. 7974/2025
HEMANT PATHAK AND ORS

.....Petitioners
Through: Mr. Ramapati Tiwari, Mr. Anoop
Tripathi and Mr. Ajay Ojha,
Advocates.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents
Through: Mr. Digam Singh Dagar, APP for
State with Insp. Mithlesh Chaudhary,
PS Kahsmir Gate Metro, SI Kiran
kumara, CAW cell/ NE.
Mr. D.K. Sharma, Main counsel, Mr.
Shubham Kataria, Mr. Jyoti Yadav,
Advocates for respondent no. 1.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
04.08.2025

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1. The present petition seeks quashing of FIR no. 555/2017 dated 30.08.2017, lodged at police station Bhajanpura, Delhi and all other consequential proceedings for offences under sections 498A, 406, 323, 376, 377, 506, 34 of IPC, on the basis compromise between the parties vide settlement deed dated 29.04.2022.

2. FIR resulted due to matrimonial dispute between Petitioner No.1



(Husband) and Respondent No.2 (Wife), stated to be due to temperamental differences between them. The couple got married on 29.04.2016, according to Hindu Rites, however. They are living separately since 03.08.2017. No child is born out of the wedlock.

3. In the aforesaid backdrop, I have heard the rival contentions and perused the case file.

4. Parties are present in court. I have interacted both with husband and wife. They have indeed arrived at an amicable settlement. Complainant/wife has entered into settlement without duress and coercion.

5. *Qua* the alleged offences attracting section 376 of IPC (against father-in-law) and section 377 (against husband), the complainant wife on a Court query, submits that the same were leveled in the heat of the moment, when she was highly anguished owing to acrimony with her husband. She did not quite appreciate the adverse consequences of the same. She submits that she regrets having leveled such allegations. She does not want to press any charges *qua* the same either against her husband or father-in-law.

6. *Qua* the compliance of the terms of deed, she submits that the petitioner no. 1 (Husband) has complied with the terms of the settlement to her satisfaction and nothing remains payable to her.

7. In light of aforesaid, she candidly consents to quashing of the FIR in question.

8. Learned APP appearing for the prosecution does not dispute the settlement arrived between the parties.

9. In the premise further criminal proceedings would unnecessarily be a burden on the prosecution as well as the judiciary and abuse of process of law.



10. 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.

11. Accordingly, applying the ratio in decision of ***Gian Singh v/s State of Punjab, (2012) 10 SCC 303***, I deem it just and proper to invoke inherent powers of this court under Section 528 of BNSS to avoid undue hardship to the private parties for mutual good relations and societal peace.

12. The present misc. petition is thus allowed. FIR no. 555/2017 dated 30.08.2017, lodged at police station Bhajanpura, Delhi, and all other consequential proceedings against the petitioners are hereby quashed.

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

ARUN MONGA, J

AUGUST 4, 2025/nk