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

+ **W.P.(CRL) 895/2025**

MOHIT SHARMA AND ORS

.....Petitioners

Through: Ms. Dolly Goswami, Adv.

Versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with ASI Davinder Singh, PS
Burari
R-2 present. (Through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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01.05.2025

CRL.M.A. 8394/2025(exemption)

1. Allowed, subject to all just exceptions. This application is disposed of.

W.P.(CRL) 895/2025

2. The present writ petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 0080/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Burari.

3. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 29.06.2020 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 03.03.2022. 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 (brother-in-law) and petitioner no. 5 (sister-in-law).

6. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2 *vide* a Memorandum of Understanding dated 06.06.2024 and in pursuance of which respondent no. 2 has no objection, if the present FIR is quashed.

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 07.04.2025:

“Mr. Abhinav, Ld. Counsel for Respondent no. 2 & Respondent no. 2 appeared through VC and submits that the demand draft for a sum of Rs. 4,00,000/- bearing no. 319347 drawn on State Bank of India, dated 12.03.2025 handed over to Respondent no. 2 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. 0080/2023, Under Section 498-A/406/34 IPC, 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 19.03.2025.

The MOU/settlement dated 06.06.2024 entered into between the parties is on record as Annexure P-2 at page 59 to 70.

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 shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR. Respondent no. 2 has already received back all the jewellery articles as mentioned in the MOU.

Respondent no. 2 states that she has no objection whatsoever if FIR no. 0080/2023, 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. 1798/2024 vide decree dated 21.11.2024 which is on record as Annexure P-3 at page 74.

There is no child born out the wedlock.

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 has also given her affidavit in support of the present petition which is at page no. 33 to 35 of the petition bearing her signatures.

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

8. Learned counsel for the petitioners submits that the petitioner no. 1 is unwell and the other petitioners are out of station and seek their exemption.

9. The complainant/respondent no. 2 is present before the Court through video conferencing and has been duly identified by the Investigating Officer, ASI Davinder Singh, P.S. Burari.

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 (Crl.) for the State submits that the investigation in the present FIR is pending and the chargesheet is yet to be filed, 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. 0080/2023, under Sections 498A/406/34 IPC, registered at P.S. Burari.

14. In the interest of justice, the petition is allowed, and FIR No. 0080/2023, under Sections 498A/406/34 IPC, registered at P.S. Burari is hereby quashed.

15. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 1, 2025/gs

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