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

+ CRL.M.C. 1910/2025& CRL.M.A. 8603/2025

PUNEET KAUSHAL AND ORS

.....Petitioners

Through: Mr. Harish Chand Sharma, Advocate
alongwith petitioners in person.

versus

THE STATE GOVT. OF NCT
OF DELHI AND ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
ASI Navesh Kr., PS Vijay Vihar.
Ms. Rekha Sharma and Mr. Hitesh
Sharma, Advocates for R-2 alongwith
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

28.05.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 528 of the BNSS (Section 482 of the CrPC) seeks quashing of FIR No. 761/2018, under Section 498A/406/506/34 of the IPC, registered at PS Vijay Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajoria, learned JMFC, Rohini Courts, New Delhi.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 02.03.2014 as per Hindu Rites and Customs and one male child was born out of the said wedlock.
4. Due to matrimonial differences between petitioner no. 1 and respondent



no. 2, the parties resided separately from 18.01.2015. Subsequently, respondent no.2/complainant registered an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law) and petitioner no. 3 (mother-in-law).

5. On 28.07.2024, parties arrived at a settlement before the Family Courts, North-West, Rohini Courts, Delhi and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 27,00,000/- 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.

6. The marriage between the parties stands dissolved by a decree of divorce dated 08.01.2025, passed by Sh. Dinesh Bhat Principal Judge, Family Courts, Rohini, Delhi (Annexure P-9). As per the said settlement, custody of the minor child will be with the respondent no. 2 and the petitioner no. 1 will have visitation rights on every last Saturday at 3 PM to Sunday 3 PM of every second month at his residence.

7. The matter was listed before the learned Joint Registrar on 28.03.2025, wherein it has been recorded as under:-

“I am the Respondent no. 2 in the present petition. At my instance, FIR No. 761/2018, Under Section 498-A/406/506/34 IPC, was registered at PS Vijay Vihar, Delhi and charge-sheet has been filed against the petitioners.

Now, I have voluntarily and without any pressure or coercion from anyone with the intervention of friends and family members and after obtaining due legal advice settled all my issues and disputes with the petitioner and entered into settlement dated 29.07.2024 before counseling cell in the court of Judge Family Court, Rohini Court, North West District, Delhi. The settlement is on record as Annexure - P-7 at page 112 to 116 of the petition, which also bears my signatures.

As per the settlement, I have already received a sum of Rs. 18,00,000/-



as well as today I have received a demand draft for a sum of Rs. 9,00,000/- bearing no. 523589 drawn on ICICI Bank, dated 25.02.2025 today in the court. Subject to realization of the demand draft handed over today, I will receive the total settlement amount of Rs. 27,00,000/- and subject to the honour of demand draft handed over today, I have no objections, if the FIR No. 761/2018, Under Section 498-A/406/506/34 IPG, registered at PS Vijay Vihar, Delhi and all proceedings emanating there from are quashed against the petitioner.

This settlement amount is towards my entire alimony and maintenance whatsoever for past, present and future, as well as towards all my articles and stridhan whatsoever. I shall not claim anything in this regards in future by way of any litigation. I shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR.

As per the terms of the settlement, I have already withdrawn all other cases instituted by me against the petitioner. I further undertake to withdraw any other case, if any remaining.

I have already obtained divorce from petitioner no. 1 in HMA No. 3100/2024. The divorce decree dated 08.01.2025 is on record as Annexure P-9 at page 120.

As per settlement, the custody of minor child namely Aarav Kaushal (aged about 9 years) shall remain with me and petitioner no. 1 shall have the visitation rights as per the settlement in terms of para 7 at page 114 as Annexure - P-7 but petitioner shall not claim custody of the child. The settlement amount received by me is also towards the past, present and future maintenance of the minor child. However, this settlement is without prejudice to the rights and interest of the child.

I shall fully cooperate with regards to the visitation rights and reserve my right to take appropriate orders from the court of law in case of any default or alteration by the petitioners.

Now, I have no objection whatsoever if the present FIR against the petitioner is quashed and I 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. I have also given my affidavit in support of the present petition which is at page no. 39-41 of the petition bearing my signatures.

This is my statement being made voluntarily in the presence of my counsel and my father namely Sh. Ram Singh Verma. I fully understand the consequences of making this statement. This statement has been signed by me in the presence of my counsel and my father after the same has been read over to me in Hindi.”



8. Petitioners are present before the Court 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, ASI Navesh Kr., PS Vijay Vihar.

9. 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 against the petitioners. She further states that all the terms of the settlement have been complied with.

10. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

11. In *Gian Singh v. 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.”

12. 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. 761/2018, under Section 498A/406/506/34 of the IPC, registered at PS Vijay Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajoria, learned JMFC, Rohini Courts,



New Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 761/2018, under Section 498A/406/506/34 of the IPC, registered at PS Vijay Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajoria, learned JMFC, Rohini Courts, New Delhi, is hereby quashed.

14. It is however directed that this order shall not come in the way of the minor child in claiming her rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

15. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 28, 2025/sn/pr

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