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

+ CRL.M.C. 1981/2025& CRL.M.A. 8885/2025

MOHIT DHAMA & ORS.

.....Petitioners

Through: Mr. Anmol Panwar & Ms. Shashi
Ranjan, Advs. with petitioners in
person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
ASI Anand, P.S. Sarai Rohilla.
Respondent no.2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

29.04.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 618/2021 under Sections 498A/377/323/506/34 of the IPC, registered at P.S. Sarai Rohilla and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of. Ms. Manya, learned Judicial Magistrate First Class, Mahila Court-02, Tis Hazari District Courts (Central), Delhi.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 09.07.2019 as per Hindu Rites and Customs and no child was born out of the said wedlock.
4. Due to matrimonial differences between petitioner no. 1/husband and

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respondent no. 2/wife, the parties started residing separately from 18.03.2015. 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.

5. On 22.10.2024, the parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 20,00,000/- 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. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2 *vide* Memorandum of Understanding dated 22.10.2024 and in pursuance of which respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed.

7. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, ASI Anand, P.S. Sarai Rohilla.

8. 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 24.03.2025:

“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 618/2021 Under Sections 498A/377/323/506/34 of the Indian Penal Code registered at P.S. Sarai Rohilla.

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

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settlement deed dated 22.10.2024. 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 22.10.2024. 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. 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.

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

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. 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.

8. In view of the above, matter be placed before the Hon'ble Court on 29.04.2025.”

9. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed, subject to cost.

10. In **Gian Singh vs. 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

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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.”

11. 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. 618/2021 under Sections 498A/377/323/506/34 of the IPC, registered at P.S. Sarai Rohilla and all other consequential proceedings emanating therefrom.

12. In the interest of justice, the petition is allowed, and the FIR No. 618/2021 under Sections 498A/377/323/506/34 of the IPC, registered at P.S. Sarai Rohilla and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Manya, learned Judicial Magistrate First Class, Mahila Court-02, Tis Hazari District Courts (Central), Delhi are hereby quashed.

13. Petition is allowed and disposed of accordingly.

14. Pending application(s), if any, also stands disposed of.

15. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

APRIL 29, 2025/nk/sc

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