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

+ **CRL.M.C. 2085/2025 & CRL.M.A. 9374/2025 (Stay)**

ARJUN & ORS.

.....Petitioners

Through: **Mr. Vivek Agarwal, Adv. alongwith
petitioners in person.**

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: **Mr. Satinder Sing Bawa, APP for the
State.**

SI Ruby & SI Ravi, P.S. Inderpuri.

Mr. Mohd. Shoib Khan, Ms. Praneet

Kaur, Ms. Vinita Sharma, Mr. S.

Yusuf & Ms. Sakshi Kaur, Advs. for

R-2 with respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

03.04.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 9375/2025 (Exemption)

2. Exemption allowed, subject to all just exceptions. The application stands disposed of.

CRL.M.C. 2085/2025 & CRL.M.A. 9374/2025 (Ex-parte ad-interim Stay)

3. The present petition under Section 528 of the BNSS (Section 482 of the Cr.P.C.) has been filed seeking quashing of FIR No. 87/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Inder Puri, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet



filed and pending before the Court of Ms. Kavita Bist, learned Judicial Magistrate First Class, Mahila Court-01, Patiala House Courts, New Delhi.

4. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 29.06.2012 as per Hindu Rites and Customs and one male 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 since July, 2016. Subsequently, respondent no.2/complainant lodged a complaint against petitioner no. 1 (husband), petitioner no. 2 (mother-in-law) and petitioner no. 3 (father-in-law) and petitioner no.4 (brother-in-law).

6. Petitioners and complainant/respondent no. 2 are present before this Court and have been duly identified by their respective counsels, as well as the Investigating Officer, SI Ruby, P.S. Inderpuri.

7. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR and consequential proceedings emanating therefrom including the chargesheet are quashed. She further states that all the terms of the settlement dated 09.05.2024 have been complied with.

8. The matter was placed before the worthy Joint Registrar who has recorded the statement of the complainant/respondent no. 2 and passed the following order on 27.03.2025: -

“Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 lodged FIR No. 87/2017, Under Section 498-A/406/34 IPC, registered at PS Inder Puri, Delhi and charge sheet has been filed against the petitioner.

Respondent no. 2 states that she has voluntarily and without



any pressure or coercion from anyone and after obtaining due legal advice settled all her issues and disputes with the petitioners and out of her free will and have entered into Mediation Settlement dated 09.05.2024 with the petitioners, which is on record as Annexure P-5 at page 63 to 74 bearing her signatures.

As per the settlement, Respondent no. 2 has already received a sum of Rs. 1,50,000/- as well as today Respondent no. 2 has received a sum of Rs. 50,000/- in cash. Respondent no. 2 has received the total settlement amount of Rs. 2,00,000/-, Respondent no. 2 has no objections, if the FIR No. 87/2017, Under Section 498-A/406/34 IPC, registered at PS Inder Puri, Delhi and all proceedings emanating there from are quashed against the petitioners.

This settlement amount is towards her entire alimony and maintenance whatsoever for past, present and future, as well as towards all her articles and stridhan whatsoever. 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.

As per the terms of the settlement, Respondent no. 2 undertakes to withdraw any other case, if any remaining.

Respondent no. 2 has already obtained divorce from petitioner no. 1 in HMA No. 1477/2024. The divorce decree dated 19.12.2024 is on record as Annexure P-6 at page 75 to 86.

As per settlement, the custody of minor child namely Ishant (aged about 11 years) shall remain with Respondent no. 2 without any visitation rights to the petitioner or any of her family members or relatives. The settlement amount includes the maintenance for the minor child; and as per the terms of the settlement Respondent no. 2 has already got prepared FDR in sum of Rs. 50,000/- for the benefit of the minor child. However, the settlement arrived at between the parties is without prejudice to the rights and interests of minor child.

Now, Respondent no. 2 has no objection whatsoever if the present FIR against the petitioner is quashed and Respondent no. 2 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. Respondent no. 2 has also given her affidavit in support of the present petition which is at page no. 87-88 of the petition bearing her signatures.

Respondent no. 2 has been identified by her counsel.

This pre verified report along with the petition may be placed before the Hon'ble Court on **03rd April, 2025** alongwith the



statements recorded today.”

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 emanating therefrom including the chargesheet are quashed.

10. In *Gian Singh vs. State of Punjab*, (2012) 10 SCC 303, the Hon’ble Supreme Court has recognised 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.”

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. 87/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Inder Puri, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kavita Bist, learned Judicial Magistrate First Class, Mahila Court-01, Patiala House Courts, New Delhi.

12. In the interest of justice, the petition is allowed and the FIR No. 87/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Inder Puri, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kavita Bist, learned Judicial Magistrate First Class, Mahila Court-01, Patiala House



Courts, New Delhi, are hereby quashed.

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

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 3, 2025/nk/Pc

Click here to check corrigendum, if any