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

+ **CRL.M.C. 2139/2025**

SHRI NEERAJ & ORS.

.....Petitioners

Through: Mr. Vijay Kumar, Mr. Pankaj Dua,
Advocates.

versus

STATE (NCT. OF DELHI) & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP with
SI Sandeep Kumar, PS-Ambedkar
Nagar.
Mr. Vijay Kumar, Mr. Pankaj Dua,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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07.04.2025

CRL.M.A. 9581/2025 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CRL.M.C. 2139/2025

5. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Code of Criminal Procedure, 1973, has been instituted by the petitioner seeking quashing of FIR No. 0564/2019, dated 17.12.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406/34 IPC, and all proceedings arising therefrom, on the basis of an amicable settlement arrived at between the parties.



6. The marriage between the petitioner no.1 and respondent no. 2 was solemnized on 05.02.2018 as per Hindu rites and ceremonies. Out of the said wedlock, one child, namely Molik, was born on 29.11.2018 and is presently in the care and custody of respondent no. 2.

7. Due to certain matrimonial discord, the petitioner no.1 and respondent no. 2 have been residing separately. The Petitioner No. 1 has filed a petition for divorce under Section 13 of the Hindu Marriage Act, 1955. Furthermore, a complaint case under section 12 of the Domestic Violence Act alongwith 2 execution petitions were also filed. The FIR No. 0564/2019 was also registered under Sections 498A/406/34 IPC at P.S. Ambedkar Nagar, culminating in the filing of the charge sheet.

8. Subsequently, the parties have amicably resolved their disputes and executed a Memorandum of Understanding (MOU) dated 31.01.2025. In terms of the said settlement, it was agreed that the respondent no.2 will reside with petitioner no.1 along with the other petitioners in her matrimonial home. It is also agreed that the FIR No. 0564/2019 along with consequential proceedings emanating therefrom be quashed and both the parties shall withdraw their pending cases immediately. The MOU dated 31.01.2025 is on record as Annexure P-3.

9. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following order dated 28.03.2025:-

“ Today, statement of respondent no. 2 & petitioner no. 1 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 lodged FIR No. 564/2019, Under Section 498-A/406/34 IPC, registered at PS Ambedkar Nagar, Delhi and charge sheet has been filed in this case



Respondent no. 2 states that she has voluntarily without any pressure or coercion from anyone and with the intervention of friends and family members and after obtaining due legal advice entered into MOU/settlement deed executed on 31.01.2025 and have settled all her issues, disputes and grievances with the respondent. The MOU is on record as Annexure P-3 at page 62 bearing her signatures.

As per settlement, Respondent no. 2 is happily residing with the petitioner no. 1 (Sh. Neeraj) along with other petitioners in her matrimonial home peacefully after reconciling all the issues and disputes.

As per the settlement, Respondent no. 2 has no objection if FIR bearing No. 564/2019, Under Section 498-A/406/34 IPC, registered at PS Ambedkar Nagar, Delhi and all proceedings emanating there from are quashed by the Hon'ble Court qua all the petitioners. There is no other case pending between me and the petitioners. Respondent no. 2 undertakes to withdraw all other cases, if any remaining.

Respondent no. 2 is making this statement voluntarily in the presence of her counsel as well as her husband. Respondent no. 2 is fully aware of the consequences of making this statement. Respondent no. 2 shall cooperate in quashing of the present FIR. Respondent no. 2 shall also abide by all terms of the settlement.

Respondent no. 2 & petitioner no. 1 has been identified by their counsel.

This pre verified report along with the petition may be placed before the Hon'ble Court on 07th April, 2025 alongwith the statements recorded today.”

6. The petitioners and respondent no. 2 have been duly identified by their respective counsels and the Investigating Officer, SI Sandeep Kumar, PS-Ambedkar Nagar.

7. As per the MOU dated 31.01.2025, it was agreed that the respondent no.2 will reside with petitioner no.1 along with the other petitioners in her matrimonial home. It is also agreed that the FIR No. 0564/2019, dated 17.12.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406/34 IPC along with consequential proceedings emanating therefrom be quashed and both the parties shall withdraw their pending cases immediately.

8. The respondent No. 2 stated that she has settled with the petitioner



No. 1 and his family members out of her own free will and without any force, fear or coercion as such, she does not have any objection if the present petition is allowed and FIR No. 0564/2019, dated 17.12.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406/34 IPC is quashed alongwith consequential proceedings.

9. In view of the amicable settlement between the parties, the learned Additional Public Prosecutor appearing for the State submits that the State has no objection to the quashing of the present FIR No. 0564/2019.

10. In *Gian Singh vs 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."

11. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0564/2019, dated 17.12.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.



12. In the interest of justice, the petition is allowed, and the FIR No. 0564/2019, dated 17.12.2019, registered at Police Station Ambedkar Nagar under Sections 498A/406/34 IPC along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

APRIL 7, 2025/ak