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

+ **CRL.M.C. 2145/2025**

BHUVAN MALHOTRA

.....Petitioner

Through: Mr. Abhishek Saxena, Mr. Saurav Dewal and Ms. Muskaan Varshney, Advocates alongwith petitioner in person.

versus

STATE OF NCT DELHI AND ANOTHERRespondents

Through: Ms. Shubhi Gupta, APP for the State. SI Kavish Lakra, PS Punjabi Bagh. Mr. Vaibhav Patel, Mr. Munish and Ms. Kamini, Advocates for R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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21.04.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 9588/2025 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 2145/2025

3. The present petition filed under Section 528 of the BNSS (Section 482 Cr.P.C.) seeks quashing of FIR No. 69/2019, under Sections 498A/406/34 of the IPC, registered at P.S. Punjabi Bagh and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shivli Talwar, learned Metropolitan Magistrate (West), Tis Hazari Courts, Delhi.

4. The marriage between petitioner no.1/husband and respondent



no.2/wife was solemnized on 10.03.2015 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 resided separately from 08.02.2019. Subsequently, respondent no.2/complainant registered an FIR against petitioner /husband and mother-in-law who has since passed away during the pendency of the proceedings.

6. Learned counsel for the petitioner submits that the parties have arrived at a settlement before the Delhi Mediation Centre, Tis Hazari Courts, Delhi dated 05.02.2020. It is further stated that the parties are living together, at their matrimonial home, alongwith their minor son.

7. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Kavish Lakra, PS Punjabi Bagh.

8. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

9. The present petition was listed before the Joint Registrar on 28.03.2025 wherein it was recorded as under:-

“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. 0069/2019, Under Section 498-Ay406/34 IPG, registered at PS Punjabi Bagh, Delhi and charge sheet has been filed in this case.

Respondent no. 2 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 have entered into Mediation Settlement dated 05.02.2020 with the petitioners, which is on record as Annexure P-3 at page 83 bearing her signatures.



As per settlement, she is happily residing with the petitioner no. 1 (Sh. Bhuvan Malhotra) 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. 0069/2019, Under Section 498-A/406/34 IPG, registered at PS Punjabi Bagh, 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 Respondent no. 2 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 21st April, 2025 alongwith the statements recorded today.”

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. 69/2019, under Sections 498A/406/34 of the IPC, registered at P.S. Punjabi Bagh and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shivli Talwar, learned Metropolitan Magistrate (West), Tis Hazari Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 69/2019, under Sections 498A/406/34 of the IPC, registered at P.S. Punjabi Bagh and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shivli Talwar, learned Metropolitan Magistrate (West), Tis Hazari Courts, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 21, 2025/sn/pr

Click here to check corrigendum, if any