



2025:DHC:3436



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

Date of Decision: 07.05.2025

+ CRL.M.C. 2173/2025, CRL.M.A. 9814/2025

KARAN KOCHHAR AND ORSPetitioners

Through: Mr. Anuj Soni, Adv.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Meenashi Dahiya, APP
with SI Harish, PS PU East

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. By way of the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek to quash the FIR bearing No. 208/2016 dated 18.04.2016 registered for offence under Sections 406/498A/34 of the Indian Penal Code, 1860 at Police Station Paschim Vihar, and all consequential proceedings arising therefrom.

2. It is submitted by the learned counsels for the parties that the petitioner no.1 entered into matrimony with respondent no.2 on 01.02.2014, in accordance with the Hindu rites and customs at Delhi. However, owing to certain misunderstandings that arose between them, the parties have been residing separately since 25.06.2015. The



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marriage suffered an irretrievable breakdown, attributable to the temperamental incompatibility between petitioner no.1 and respondent no.2. It is this matrimonial dispute that resulted in the registration of the present FIR.

3. It is submitted that petitioner no.1 and respondent no.2 amicably resolved their disputes following the intervention of family friends and well-wishers of both sides, resulting in a settlement agreement. The said settlement, dated 09.01.2025, was arrived at through mediation conducted before the Delhi Mediation Centre, Rohini District Courts, Delhi. In terms of the said agreement, it was mutually decided that respondent no.2 and the petitioner no. 1 would seek dissolution of their marriage by a decree of divorce by mutual consent, eschewing all allegations and counter-allegations, in accordance with law.

4. It was further agreed that petitioner no.1 and his parents, jointly or severally, would pay a consolidated sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) to respondent no.2 towards full and final settlement of all claims arising out of the present marriage which shall include permanent alimony, maintenance (past, present & future), stridhan and all other miscellaneous expenses..

5. The settlement amount was structured to be disbursed in three instalments, that are, Rs.20,00,000/- at the time of recording of statements in the First Motion Petition under Section 13B(1) of the Hindu Marriage Act; Rs.25,00,000/- at the time of recording of statements in the Second Motion Petition under Section 13B(2) of the



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said Act; and Rs.5,00,000/- at the stage of seeking quashing of the FIR before this Court.

6. In pursuance of the said settlement, the parties parties moved Mutual Divorce petition under Sections 13B(1) and 13B(2) of the Hindu Marriage Act before the learned Principal Judge, Rohini Courts, Delhi, which came to be allowed on 27.02.2025 and no appeal is stated to have been filed from the divorce decree. It is categorically stated by the parties that all the terms of the Settlement have been complied with. No litigation is pending between the parties and the respondent no. 2 has received the entire Settlement amount from the petitioner no. 1.

7. Subsequent thereto, the statements of the parties were recorded by the learned Joint Registrar (Judicial) on 01.05.2025, where both parties were duly identified by the Investigating Officer. In her statement, respondent no.2 stated that she has no objection to the quashing of the FIR in question or to the proceedings emanating therefrom.

8. The petitioner no.1 as well as respondent no.2 are present in Court and other petitioners are appearing through VC. They have also been identified by their respective counsel. The parties have confirmed that no child was born from the wed-lock.

9. In light of the above, learned counsel for the parties jointly submit that the FIR in question, along with all proceedings emanating therefrom, be quashed.

10. The learned APP appearing for the state confirms that the State has no objection to the subject FIR being quashed.



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11. Having heard the learned counsel for the parties, perused the terms of the settlement deed, and examined the statements of the parties recorded before the learned Joint Registrar (Judicial), this Court also takes note of the statement made by respondent no.2 today, who is present in Court. Upon being queried by the Court, respondent no.2 has affirmed that a decree of divorce by mutual consent has been obtained and that the Settlement Agreement dated 09.01.2025 was duly entered into between the parties. She further confirms that, in full and final settlement of all her claims, towards maintenance (past, present and future), stridhan, dowry articles, jewellery, permanent alimony, etc., the agreed amount has been received by her through demand drafts and has no objection to the quashing of the subject FIR.

12. In these circumstances, and having regard to the principles laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.***: (2012) 10 SCC 303 and ***Narinder Singh & Ors. vs. State of Punjab & Anr.***: (2014) 6 SCC 466, and in view of the fact that the parties have amicably resolved their disputes voluntarily and without any coercion, this Court is of the considered opinion that no useful purpose would be served by continuing with the criminal proceedings. On the contrary, such continuation is likely to foster further animosity between the parties. Accordingly, in the interest of justice, the subject FIR and all proceedings emanating therefrom deserve to be quashed.

13. Consequently, FIR No. 208/2016 dated 18.04.2016 registered for offence under Sections 406/498A/34 of the Indian Penal Code, 1860 at Police Station Paschim Vihar and all consequential proceedings emanating therefrom are quashed.



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14. Accordingly, the petition stands disposed of.

SHALINDER KAUR, J

MAY 7, 2025/SU/KP

Click here to check corrigendum, if any