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

+ **CRL.M.C. 2188/2025**

VISHAL ARORA & ORS.

.....Petitioners

Through: Mr. Ashish Tyagi, Advocate along
with petitioners in person (through
Vc).

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with Ms. Mansi Sharma,
Advocate.
SI Neelam Yadav, P.S. Anand Vihar.
Respondent no. 2 in person (through
Vc).

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. 9836/2025 (Exemption)

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

CRL.M.C. 2188/2025

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 346/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Vihar, Delhi.

4. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 10.02.2015 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 started to reside separately since April, 2020. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.

6. On 07.11.2023, the parties arrived at a settlement before the learned Family Court, Shahdara, Karkardooma Courts, Delhi. As per the said settlement, petitioner no.1 has agreed to pay an amount of Rs. 24,00,000/- 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. As per the said settlement, custody of the minor child will be with the respondent no. 2/wife and the petitioner no. 1/husband will have visitation rights.

7. In terms of the said settlement, marriage between the parties stands dissolved by a decree of divorce dated 01.07.2024, passed by Ms. Riya Guha, Judge, Family Courts-03, Karkardooma Courts, Delhi.

8. Petitioners and complainant/respondent no. 2 have appeared before the Court today through video conferencing and have been duly identified by the Investigating Officer, Sub Inspector Neelam Yadav, P.S. Anand Vihar.

9. The matter was also placed before the learned Joint Registrar on 01.04.2025 who has recorded the statements of both the parties passed the following order:

“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. 346/2021 Under Sections 498A/406/34 of the Indian Penal Code registered at P.S. Anand Vihar on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. Learned counsel for petitioners submits that P-2 to 4 are present in Court through virtual mode.

3. Vide separate statement recorded in this behalf, P-1 stated that dispute between petitioners and R-2 has been amicably settled as



per the settlement deed dated 07.11.2023. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. Petitioners have signed the settlement deed with their wish and will. P-2 to 4 who are appearing through virtual mode stated that they have amicably settled the matter. 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 07.11.2023. 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 not 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 21.04.2025."

10. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the present FIR is quashed against the petitioners. She further states that all the terms of the settlement have been complied with.

11. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

12. 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.”

13. 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. 346/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Vihar, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 346/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Vihar, Delhi, is hereby quashed.

15. 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.

16. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 21, 2025/bsr/sc

Click here to check corrigendum, if any