



\$~96

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

+ CRL.M.C. 2191/2025

KSHITIZ CHAMOLI & ANR.

.....Petitioners

Through: Mr. Bhaskar Pandey, Adv. along with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
SI Bharat, PS Uttam Nagar.
ASI Ajeet, PS Paschim Vihar.
Ms. Somya, Adv. For R-2. along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

%

22.04.2025

1. This hearing has been done through hybrid mode.
2. The present petition under Section 528 of the BNSS (Section 482 of the Cr.P.C.) has been filed seeking quashing of FIR no. 820/2016 under Sections 498A/406/34 of the IPC, registered at P.S. Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kritika Jain, learned Judicial Magistrate First Class-03, South West District, Dwarka Courts, Delhi.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 01.02.2013 as per Hindu Rites and Customs and no child was born out of the said wedlock.
4. Due to matrimonial differences between petitioner no. 1 and respondent



no. 2, the parties had started residing separately since 18.10.2015. Subsequently, respondent no.2/complainant lodged a complaint against petitioner no. 1 (husband), petitioner no. 2 (mother-in-law).

5. Petitioner nos. 1 and 2 appeared in person before this Court and respondent no. 2/complainant appeared in person through video conferencing and they have been duly identified by their respective counsels, as well as the Investigating Officer, SI Bharat Singh, PS Uttam Nagar.

6. The complainant/respondent no.2 states that the matter has been settled with the petitioners and she has no objection if the present FIR and consequential proceedings emanating therefrom including the chargesheet emanating therefrom are quashed. She further states that all the terms of the settlement dated 15.02.2025 have been complied with.

7. The matter was placed before the worthy Joint Registrar (Judicial), who had recorded the statements of the petitioners and complainant/respondent no. 2 and passed the following order on 01.04.2025:

“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. 820/2016 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. Uttam Nagar 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 is present 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 15.02.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. P-2 who is appearing through virtual mode submits that matter has been amicably settled. 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 15.02.2025. 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 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 22.04.2025.”

8. 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.

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

10. 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. 820/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kritika Jain, learned Judicial Magistrate First Class-03, South West District, Dwarka Courts, Delhi.

11. In the interest of justice, the petition is allowed and the FIR no. 820/2016 under Sections 498A/406/34 of the IPC, registered at P.S. Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Kritika Jain, learned Judicial Magistrate First Class-03, South West District, Dwarka Courts, Delhi, are hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 22, 2025/kr/Pc

[Click here to check corrigendum, if any](#)