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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 07.05.2025

+ CRL.M.C. 2242/2025 & CRL.M.A. 10029/2025 (exemption)

DINESH DALAL & ANR.

.....Petitioners

Through: Mr. Ashish Dutt and Mr. Jaidev
Sharma, Advs. with petitioner
No.1 & 2 through VC.

versus

THE STATE GOVT. OF NCT OF DELHI
AND ANR.

... Respondents

Through: Mr. Hitesh Vali, APP for the
State with SI Sanjay Kumar,
PS-Dwarka North.

Mr. B.C. Tyagi Adv. for R-2
along with R-2 in person.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0169/2023, dated 17.02.2023, registered at P.S Dwarka North under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 21.11.2021 as per Hindu rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted that



due to temperamental differences, the couple started living separately since 31.10.2022. The Petitioner No.1 filed a petition for divorce under section 13(1)(ia) of the Hindu Marriage Act, 1955. Thereafter, Respondent No.2 filed a complaint case bearing MC No. 137/2023 under section 12 of the DV Act, a petition under section 125 Cr.P.C. bearing MT No. 167/2023 seeking maintenance and also lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. During the proceedings, the parties were referred to mediation where they amicably resolved their disputes and executed a Compromise/Settlement Deed dated 06.06.2024. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court, Dwarka Courts, Delhi allowed the mutual divorce petition on 31.01.2025, thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 17,00,000/- (Rupees seventeen lacs) as per the schedule mentioned in the Settlement Deed. The copy of Compromise/Settlement Deed dated 06.06.2024 has been placed on record as Annexure P-4.



4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“02.04.2025

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

Learned counsel for petitioner has handed over a cheque for a sum of Rs. 5,00,000/- bearing no. 835981 drawn on Punjab National Bank, dated 02.04.2025 to respondent no. 2.

Put up on 01st May, 2025 for apprising this Court about realization of cheque/further proceedings.

5. R-2 is physically present before the Court while petitioner nos.1 & 2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Sanjay Kumar from PS Dwarka North.

6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 17,00,000/- (Rupees seventeen lacs) from the Petitioner No.1 as per the schedule mentioned in the Compromise/Settlement Deed dated 06.06.2024. She further submits that she has no objection if the FIR No. 0169/2023 is quashed against the petitioners.



7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0169/2023 is quashed.

8. 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."

9. 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. 0169/2023, dated 17.02.2023, registered at P.S Dwarka North under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0169/2023, dated 17.02.2023, registered at P.S Dwarka North under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.



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

RAVINDER DUDEJA, J

MAY 07, 2025/AK

