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

+ **W.P.(CRL) 1049/2025**

RAHUL & ORS.

.....Petitioners

Through: Mr. Dalip Kumar Santoshi, Adv.
Alongwith petitioner in person.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel,
(Crl.), Mr. Abhinav Kumar, Mr. Aryan
Sachdeva, Advs.
ASI, Ramavtar, PS Ambedkar Nagar.
Mr. Rakesh Kumar, Adv. for R-2.
Along with R-2 and her brother in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **13.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 10024/2025

2. Exemption allowed, subject to all just exceptions. Application is allowed and disposed of.

W.P.(CRL) 1049/2025

3. The present petition filed under Article 226 of the Constitution of India read with Section 528 of the BNSS seeks quashing of the FIR No. 634/2022, under Sections 498A/354A/406/34 IPC, registered at P.S. Ambedkar Nagar, Delhi.

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



no.2/wife was solemnized on 16.02.2021 as per Hindu rites and ceremonies and no child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 22.09.2021. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (mother-in-law), petitioner no. 3 (sister-in-law) and petitioner no. 4.

6. On 24.10.2024, petitioner No.1 and respondent No.2 arrived at a settlement/MoU and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 12,00,000/- 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. The copy of the aforesaid settlement deed dated 15.10.2024 has been placed on record as Annexure -2.

7. In terms of the said settlement, the marriage between the petitioner no. 1 and respondent no. 2 stands dissolved by a decree of divorce dated 20.01.2025, passed by Ms. Shunali Gupta, Judge Family Court 02, South District, Saket Court, New Delhi, (Annexure - 3).

8. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 22.04.2025: -

“Mr. Rakesh Kumar, Ld. Counsel for Respondent no. 2 & Respondent no. 2 appeared through VC and submits that the demand draft for a sum of Rs. 2,00,000/- bearing no. 804416 drawn on Kotak Mahindra Bank, dated 03.02.2025 today handed over to Respondent no. 2 on the last date of hearing stands duly honoured and nothing else remains due in this case and Respondent no. 2 has no objection if FIR No. 634/2022, Under Section 498-A/406/34/354-A IPC, registered PS Ambedkar Nagar, Delhi and all proceeding emanating there from is quashed qua the petitioners.



The statement of Respondent no. 2 to ascertain the veracity and the genuineness of the parties entering into settlement was recorded on 02.04.2025.

The compromise/MOU/Settlement dated 15.10.2024 entered into between the parties is on record as Annexure 2 at page no. 42.

As per the settlement, the respondent no. 2 has now received the total settlement amount towards her article, stridhan as well as towards alimony and maintenance past, present and future whatsoever and Respondent no. 2 shall not claim anything in this regards in future by way of any litigation.

Respondent no. 2 states that she has no objection whatsoever if FIR no. 634/2022, Under Section 498-A/406/34/354-A IPC, registered PS Ambedkar Nagar, Delhi against the petitioners is quashed.

Respondent no. 2 has also been granted divorce by Mutual consent in HMA No. 100/2025 vide decree dated 20.01.2025 which is on record as Annexure 3 at page 51.

There is no child born out the wedlock.

Respondent no. 2 shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR and withdrawal of any other case, if any as per the settlement. Respondent no. 2 undertakes to fully cooperate in quashing of the present FIR and withdrawal of all/any other connected case, if any. Respondent no. 2 has also given her affidavit in support of the present petition which is at page no. 31-32 of the petition bearing her signatures.

This pre verified report along with the petition may be placed before the Hon'ble Court on **13th May, 2025** alongwith the statements recorded today.”

9. Petitioners and complainant/respondent no. 2 along with her brother are present in person before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, ASI, Ramavtar, PS Ambedkar Nagar.

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



11. Learned Standing Counsel for the State submits that the present FIR is pending investigation, however, in view of the settlement between the parties, he has no objection if the present FIR is quashed.

12. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the 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 proceeding.”

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. 634/2022, under Sections 498A/354A/406/34 IPC, registered at P.S. Ambedkar Nagar, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 634/2022, under Sections 498A/354A/406/34 IPC, registered at P.S. Ambedkar Nagar, Delhi, is hereby quashed.

15. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 13, 2025/kr

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