



2025:DHC:4552



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

% **Date of decision:23.05.2025**

+ **CRL.M.C. 2313/2025**

ASHISH KUMAR @ AKSHAY & ANR.Petitioners

Through: Mr. Vinay Kumar, Adv.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

**Through: Mr. Raghuinder Verma, APP
with ASI Sudhir, PS Geeta
Colony and SI Amit Beniwal
PS M.S. Park**

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 10388/2025(Exemption)

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

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3. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 330/2019 dated 19.09.2019 under Sections 498-A/406/34 of the Indian Penal Code, 1860 registered at Police Station Mansarovar Park, Shahdara, Delhi ("subject FIR") and all consequential proceedings arising therefrom.

4. The learned counsel for the petitioners submits that the petitioner no. 1 is the husband of respondent no. 2 and their marriage was solemnized on 19.11.2018, as per the Hindu rites and ceremonies.



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The petitioner no. 2 is the mother-in-law of the respondent no. 2 and no child was born out of the said wedlock. Subsequent thereto, he submits, the temperamental differences developed between the petitioner no. 1 and respondent no. 2, coupled with the raising demands for dowry and increasing harassment, led to the registration of the subject FIR. It is further submitted that the parties are living separately since 16.12.2018.

5. The learned counsel further submits that during the pendency of the litigations, the parties, on request, were referred to the Mediation Centre, Kakardooma Courts, New Delhi, wherein, they have arrived at an amicable and voluntary resolution of all disputes persisting between them *vide* Mediation Settlement dated 05.04.2024. Subsequently, the marriage of the petitioner no. 1 and respondent no. 2 has been dissolved by mutual consent *vide* decree of divorce dated decree dated 27.11.2024, passed by the learned Principal Judge, Family Court, Dwarka, Shahdara, Kakardooma Courts, Delhi,

6. The present petition is premised on the assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Mediation Settlement dated 05.04.2024, has been duly executed between the petitioners and respondent No. 2. It is further submitted that, in terms of the said settlement, the respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora. As per the terms of the Mediation Settlement, the petitioner no. 1 has agreed to pay a total sum of Rs. 20,00,000/- to the respondent no. 2, as a full and final settlement of all



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her claims including maintenance (past, present and future), permanent alimony in three (03) instalments. The said Mediation Settlement dated 05.04.2024 embodying the terms of settlement has been placed on record.

7. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 04.04.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in her statement before the Joint Registrar (Judicial), has stated therein, that she has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed.

8. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

9. The respondent no.2, who is present in court, upon being queried, confirms that the Settlement Deed dated 05.04.2024 has been entered into between the parties and that she has received the entire amount of Rs. 20,00,000/-, in 3 instalments by way of demand drafts, in full and final settlement of all her claims, including those pertaining to maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., in accordance with the terms of the Settlement. She also confirms that the marriage between the parties has been dissolved by way of mutual consent *vide* decree dated 27.11.2024, passed by the learned Principal Judge, Family Court, Dwarka, Shahdara, Karkardooma Courts, Delhi, and that no other litigation remains pending between the parties. Furthermore, she has



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no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

10. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

11. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.

12. In view of these circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.***: (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.***: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

13. In conspectus of the above facts and the Mediation Settlement dated 05.04.2024, the subject FIR No. 330/2019 dated 19.09.2019 under Sections 498-A/406/34 of the Indian Penal Code, 1860 registered at Police Station Mansarovar Park, Shahdara, Delhi and all consequential proceedings emanating therefrom, are hereby quashed.

14. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 23, 2025/KP

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