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

+ **CRL.M.C. 2380/2025**

PRADEEP AND ORS

.....Petitioners

Through: Mr.Himanshu Dutt and Mr.Satish
K.Mishra, Advocates alongwith
petitioners

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr.Digam Singh Dagar, APP for the
State alongwith SI Amandeep, P.S.-
Aman Vihar
Complainant in-person

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **01.09.2025**

CRL.M.A. 10704/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 2380/2025

1. Petitioners herein seek quashing of an FIR No.1068/2018 dated 30.10.2018 registered at Police Station Aman Vihar, for the offences punishable under Sections 498A/406/34 IPC, and all other consequential proceedings arising therefrom, on the basis of the compromise between the parties.
2. The dispute between the private parties stems from marital discord



between Petitioner No. 1 (the husband) and Respondent No. 2 (the wife). Petitioner No.1 and respondent No. 2 got married on 12.04.2014 according to Hindu rites and customs. However, due to differences and disputes between the parties, they started residing separately from each other since 03.07.2015. One child is born out of the wedlock.

2.1 On 30.10.2018, the present FIR got registered against the petitioners on the complaint of the respondent No. 2. Petitioner no. 2 (mother), petitioner no. 3 (brother) and petitioner no. 4 (sister) are the family members of petitioner no. 1.

3. Learned counsel for the petitioner submits that the parties settled the matter amicably by entering into a settlement agreement/MoU dated 20.03.2025 which is placed on record (**Annexure P-4**). He further submits that an affidavit of no objection to the quashing, deposed by respondent no. 2, has also been placed on record.

4. On a Court query to respondent no. 2 (complainant-wife), she candidly states that she has resolved all her differences with her husband. She has buried the hatchet in the larger interest of the family and resumed her matrimonial life. The couple and the child are presently residing together peacefully. She further stated that she has entered into the settlement of her own volition, without any pressure, coercion, or undue influence.

5. In response to a Court query, both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise arrived between the parties and convey their no objection to the quashing of the FIR.

6. In the aforesaid backdrop, I have heard the learned counsels for the parties.



7. Having interacted with the complainant and given that seems to be an entirely a family matter not involving either in public interest or any societal interest, it would be an exercise in futility to continue with the further criminal proceedings as the same would be nothing but abuse of the process of law apart from the heavy burden on the judicial system as well as wasteful expenditure of the public by the prosecution.

8. The genuineness of compromise is not in dispute. However, since the trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. In the premise, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of BNSS, 2023, it is deemed expedient to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of ***Gian Singh Vs. State of Punjab &Anr. [(2012) 10 SCC 303]***.

9. Taking a wholesome view and in order to let the parties to enter mutual cordiality and the family bonhomie which will go long way to establish peace rather than promote hostility in case further proceedings continue, this is a fit case to exercise inherent power under 528 of BNSS in quashing the FIR in question.

10. Dispute between the parties is purely private in nature, which arose due to matrimonial discord. Quashing of the FIR would rather facilitate the parties in maintaining or restoring cordiality, especially co-parenting of the child born out of the wedlock.

11. Accordingly, the petition is allowed and the FIR No.1068/2018 dated 30.10.2018 registered at Police Station Aman Vihar, for the offences punishable under Sections 498A/406/34 IPC along with all consequential proceedings arising therefrom are hereby quashed.



12. The petition stands disposed of.

ARUN MONGA, J

SEPTEMBER 1, 2025/dy