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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2415/2025 & CRL.M.A. 10815/2025**
SH VIKRAM SINGH AND ORSPetitioners

Through: Mr. Vishal Kawatra, Advocate.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Mukesh Kumar, APP for R-1.
SI Nitesh Singh, P.S. Mukherjee
Nagar.
Mr. Pankaj Rai, Advocate for R-2
with Respondent No. 2 (in-Person).

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
01.05.2025

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1. The present petition has been filed seeking quashing of FIR No. 279/2022 dated 25th February, 2022, registered at Police Station Mukherjee Nagar for offences under Sections 498A/406/34 of the Indian Penal Code, 1860,¹ as well as all consequential proceedings emanating therefrom. This request is made in light of the amicable settlement reached between the parties, as evidenced by the Memorandum of Understanding executed on 6th May, 2023 between Petitioner No. 1 and Respondent No.2/ Complainant. A copy of the aforementioned Settlement Agreement has been duly placed on

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record.

2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnised on 10th February, 2014, however the parties eventually separated on account of temperamental differences. The marriage has now been dissolved through decree of divorce by mutual consent dated 26th April, 2024 issued by the Family Court, Central District, Tis Hazari Courts, Delhi.

3. In terms of the Memorandum of Understanding executed between the parties, all disputes and differences stand amicably resolved, and the parties have mutually agreed to withdraw all cases instituted against each other. Pertinently, the MoU specifically records that no monetary payment, whether towards maintenance, pendente lite, or permanent alimony, shall be payable to Respondent No. 2.

4. Before the Joint Registrar, the statement of Respondent No. 2 was recorded on 8th April, 2025, wherein she stated that she has voluntarily and amicably, resolved all her issues and disputes with the Petitioners, without monetary or any other consideration towards her maintenance, alimony or *stridhan*. She further submitted that she had no objections to the quashing of the impugned FIR.

5. Respondent No. 2 is present in person, duly identified by the IO as well as the counsel. She states that she has no objections to the quashing of the FIR. An affidavit cum No Objection Certificate to this effect has also been placed on record. In response to a specific query of the Court, Respondent No. 2, states that she has voluntarily, without any coercion or undue influence, and being fully conscious of her legal rights, agreed to relinquish her claim for permanent alimony and maintenance. She, however,

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submits that the Petitioners had assured her that they will compensate her by bearing the legal fees incurred for engaging the counsel in the present proceedings. The said legal fees has been paid to her in two instalments of INR 30,000/- and INR 20,000/-, which is duly confirmed by her.

6. At this juncture, it is imperative to emphasise the Court's power under Section 482 of the CrPC to quash criminal proceedings pursuant to a settlement between the parties. In this regard, the Supreme Court in *Narinder Singh & Ors. v. State of Punjab & Anr.*,² has laid down certain guidelines and parameters for the High Courts while accepting settlement and quashing the proceedings:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the

² (2014) 6 SCC 466.

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Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

[Emphasis Supplied]

7. In view of the law discussed above as well as the settlement between the parties, the Court is of the considered opinion that this matter deserves to be given a quietus, as the continuation of the present proceedings would serve no fruitful purpose, but rather only amount to an abuse of the judicial process and impose an unwarranted burden on the State Exchequer.
8. Accordingly, the petition is allowed, and FIR No. 279/2022, registered at P.S. Mukherjee Nagar, Delhi under Sections 498A/406/34 of the IPC, and the proceedings emanating therefrom are quashed.
9. The parties shall abide by the terms of settlement.
10. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

SANJEEV NARULA, J

MAY 1, 2025

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