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

+ **CRL.M.C. 2449/2025**

MR SANJEEV CHOPRA

.....Petitioner

Through: Mr. Ajay Malhotra & Mr. Angad Singh Khanna, Advs. with petitioner in person.

versus

**STATE OF NATIONAL CAPITAL
TERRITORY OF DELHI & ANR.**

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State.
SI Chandan, P.S. Paschim Vihar.
Mr. Vivek Malhotra, Adv. for R-2.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

08.05.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 10955/2025 (Exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.C. 2449/2025

3. The present petition under Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 9/2012, under Sections 498A/406/34 of the IPC, registered at P.S. Paschim Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Helly Fur Kaur, learned Judicial Magistrate First Class, District West, Tis Hazari Courts, Delhi.



4. The marriage between the petitioner/husband and the respondent no.2/wife was solemnized on 15.04.2001 as per Hindu Rites and Customs and one male child was born out of the said wedlock, who has now attained majority.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 28.09.2011. Subsequently, respondent no.2/complainant lodged an FIR against petitioner (husband).

6. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2 *vide* Settlement Agreement dated 28.09.2024 and in pursuance of the same, respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed.

7. Petitioner is present before this Court and respondent no.2/complainant have been duly identified by their respective counsel as well as by the Investigating Officer, SI Chandan, P.S. Paschim Vihar.

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 dated 28.04.2025: -

“Today, statement of Respondent no. 2 & petitioner have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 & petitioner have been identified by his counsel.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 08th May, 2025..”

9. A separate statement of respondent no.2 dated 28.04.2025 has been recorded which reads as under:-



“I am the Respondent no. 2 in the present petition. At my instance, FIR No. 09/2012, Under Section 498-A/406/34 IPG, was registered at PS Paschim Vihar, East Delhi. The charge sheet has been filed against the petitioner.

Now, I have voluntarily without any pressure or coercion from anyone and with the intervention of friends and family members and after obtaining due legal advice entered into MOU/settlement deed executed on 28.09.2024 and have settled all my issues, disputes and grievances with the petitioner. The MOU is on record as Annexure P-2 at page 42 bearing my signatures.

As per the settlement, I have already received a sum of Rs. 15,00,000/- as well as today 1 have received a demand draft for a sum of Rs. 10,00,000/- bearing no. 762024, drawn on State Bank of India, dated 11.03.2025 today in the court. Subject to realization of the demand draft handed over today, 1 will receive the total settlement amount of Rs. 25,00,000/- and subject to the honour of demand draft handed over today, I have no objections, if the FIR No. 096/2012, Under Section 498-A/406/34 IPG, registered at PS Paschim Vihar, East Delhi and all proceedings emanating there from are quashed against all the petitioner.

This settlement amount is towards my entire alimony and maintenance whatsoever for past, present and future, as well as towards all my articles and stridhan whatsoever. I shall not claim anything in this regards in future by way of any litigation. I shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR.

As per the terms of the settlement, I have already withdrawn all other cases instituted by me against the petitioner. I further undertake to withdraw any other ease, if any remaining.

As per settlement, the child namely Kushagra Chopra (Aged about 22 years) is major and has been residing with me.

I have already obtained divorce by mutual consent from petitioner no. 1 in HMA No. 660/2025 vide decree dated 25.03.2025 from the Court of Ld. Principal Judge, Family Court, West District, Tis Hazari Courts, Delhi. The decree sheet is not on record.

Now, I have no objection whatsoever if the present FIR against the petitioners is quashed and I shall fully cooperate in quashing of the present HR and raise no claim in future through any civil or criminal litigation with « regards to the incident relating to the present FIR. I have also given my affidavit in support of the present petition which is at page no. 22 of the petition bearing my signatures.

This is my true statement being made voluntarily in the presence of my counsel. I fully understand the consequences of making this statement. This statement has been signed by me in the presence of my counsel after the



same has been read over to me in Hindi.”

10. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

11. In *Gian Singh vs. 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.”

12. 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. 9/2012, under Sections 498A/406/34 of the IPC, registered at P.S. Paschim Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Helly Fur Kaur, learned Judicial Magistrate First Class, District West, Tis Hazari Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 9/2012, under Sections 498A/406/34 of the IPC, registered at P.S. Paschim Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Helly Fur Kaur, learned Judicial Magistrate First Class, District West, Tis Hazari Courts, Delhi, are hereby



quashed.

14. Petition is allowed and disposed of accordingly.

15. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

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

MAY 08, 2025/nk

AMIT SHARMA, J

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