



2025:DHC:3435



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

% Date of decision: 08.05.2025

+ CRL.M.C. 2467/2025

TEJASSWI SHARRMA AND ORS.

.....Petitioners

Through: Mr. Mohit Chaudhary, Adv.
Petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

... Respondents

Through: Mr.Hitesh Vali, APP for the
State with SI Jyoti.
Advocate for respondent no.2
(appearance not given)
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

CRL.M.A. 11052/2025 EXEMPTION

Allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 2467/2025

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 0123/2021 dated 02.04.2021 under Sections 498-A/406/34 IPC, P.S. Hari Nagar, Delhi, and all proceedings arising therefrom pursuant to a settlement between the parties.



2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 18.04.2019 as per Hindu rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 20.02.2020. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioner No. 1 and his family members. On 01.12.2022, the chargesheet was filed. On 02.05.2024, charges were framed against Petitioner No. 1 under Sections 377 and 498A read with Section 34 IPC, against Petitioner No. 2 under Section 498A read with Section 34 IPC, and against Petitioner No. 3 under Sections 406 and 498A read with Section 34 IPC.

3. During the pendency of the proceedings, both parties entered into a Compromise/Settlement Deed dated 21.12.2024. In pursuance of the settlement, the first motion petition, HMA No. 08/2025, filed under Section 13B(1) of the Hindu Marriage Act, was allowed on 10.01.2025. The Learned Principal Judge, Family Court, West, Tis Hazari Court, vide HMA No. 406/2025, allowed the second motion petition under Section 13B(2) on 25.02.2025, thereby dissolving the marriage between Petitioner No. 1 and Respondent No. 2. The Petitioner agreed to pay a total sum of Rs. 10,00,000/- to Respondent No. 2 in phased payments. A copy of the Compromise/Settlement Deed dated 21.12.2024 has been placed on record as Annexure P-2.

4. The matter was placed before the Joint Registrar on 01.05.2025, who has recorded the statements of both the parties and passed the following orders:-

“01.05.2025



Today, videoconferencing is not connected due to some technical error. Complaint in this regard made to the concerned branch.

Today, statement of respondent no.2 and petitioner no. 1 have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement. Respondent no.2 and the petitioner no.1 have been identified by the learned counsel and the IO.

This pre verified report along with the petition may be placed before the Hon'ble Court on 8th May 2025.”

5. Parties are present in person along with their counsels. They have been identified by their respective counsels as well as by the Investigating Officer SI Jyoti from PS Hari Nagar.

6. Respondent No. 2 confirms that she has received the full and final settlement amount and submits that the matter has been amicably settled with the Petitioners without any force, fear, or coercion. She has no objection to the terms and conditions mentioned in the Compromise/Settlement Deed dated 21.12.2024 and further submits that she has no objection if FIR No. 0123/2021, along with all pending proceedings arising therefrom, is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR 0123/2021, along with pending proceedings, is quashed.

8. In ***Gian Singh vs State of Punjab (2012) 10 SCC 303***, 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 proceedings."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0123/2021 dated 02.04.2021 under Sections 498-A/406/34 IPC, P.S. Hari Nagar, Delhi and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0123/2021 dated 02.04.2021 under Sections 498-A/406/34 IPC, P.S. Hari Nagar, Delhi, along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 08, 2025/na