



2025:DHC:4132



\$~108

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of decision: 21.05.2025

+ CRL.M.C. 2476/2025

JASPAL SINGH &amp; ORS.

.....Petitioners

Through: Mr. Afroz Ahmad, Advocate  
with petitioners in person.

versus

THE STATE GOV NCT OF DELHI &amp; ANR. ... Respondents

Through: Mr. Satinder Singh Bawa, APP  
with SI Rajnikant, PS-Kirti  
Nagar and ASI Abhay Jit Singh,  
PS-Naraina.Mr. Vipin Kumar, Ms. Vashu  
Gupta and Mr. Vishu Raj,  
Advocates for R-2 with  
respondent No. 2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0433/2022, dated 18.08.2022, registered at P.S Kirti Nagar under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 22.01.1999 as per Sikh rites and ceremonies at Delhi. Two girls namely Simranjeet Kaur and Jaspreet Kaur were born out of the said wedlock and have attained the age of majority. It is submitted that due to temperamental differences, the couple started living separately since 17.01.2022. Thereafter, Respondent No.2 filed the following cases against the Petitioners:

- i. a complaint case bearing MC No. 405/2022 under section 12 of the DV Act
- ii. Execution petition bearing Ex No. 235/24
- iii. Maintenance petition under section 125 Cr.P.C. bearing No. MT 245/2022
- iv. FIR No. 0433/2022 under sections 498A/406/34 IPC against Petitioner No. 1 and his family members.

The Petitioner No.1 filed a criminal revision bearing MAT No. 162/2024 against the Respondent No.2. The charge sheet was filed under sections 498A/406/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes in the Counselling Cell, Family Court, West, Tis Hazari Courts, Delhi vide a Settlement Deed dated 28.01.2025. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act,



1955. The learned Family Court-01, West, Tis Hazari Courts, Delhi on 07.03.2025 allowed the mutual divorce petition, thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. The copy of the mutual divorce petition is annexed as Annexure P-10. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn and all conditions of the Settlement Deed including the payment of Rs. 90,00,000/- (Rupees Ninety Lacs) to the Respondent No.2 have been fulfilled as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 28.01.2025 has been placed on record as Annexure P-4.

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

**“08.05.2025**

Today, statement of respondent no. 2 & petitioner no. 1 have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no.2 & petitioner no. 1 has been identified by his counsel & IO.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 21<sup>st</sup> May, 2025.

5. Parties are physically present before the Court with their respective advocate. They have been identified by their respective



counsels as well as by the Investigating Officer SI Rajnikant, from PS Kirti Nagar and ASI Abhay Jit Singh, PS- Naraina.

6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the entire payment Rs. 90,00,000/- (Rupees Ninety Lacs) from the Petitioner No.1. She further submits that she has no objection if the FIR No. 0433/2022 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 No. 0433/2022 alongwith charge sheet 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



2025:DHC:4132



continuing with the present FIR No. 0433/2022, dated 18.08.2022, registered at P.S Kirti Nagar under sections 498A/406/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0433/2022, dated 18.08.2022, registered at P.S Kirti Nagar under sections 498A/406/34 IPC alongwith 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 21, 2025/AK**

नित्यमेव जयते