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

+ **W.P.(CRL) 1173/2025**

SH JITENDER

.....Petitioner

Through: Ms. Seema Malhotra, Adv.
petitioner in-person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, SC (Crl.), Mr.
Abhinav Kumar, Mr. Priyam Agrawal
and Mr. Aryan Sachdeva, Adv.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **10.07.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 11179/2025 (Exemption)

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

W.P.(CRL) 1173/2025

3. The present writ petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 497/2023, under Sections 354(D)/354(B)/506 of the IPC, registered at P.S. Mandawali, Fazalpur, Delhi.

4. The petitioner and respondent no. 2 were friends, after which the respondent no. 2 had filed a complaint against the petitioner upon which the present FIR was registered. During the pendency of the aforesaid proceedings, respondent no. 2/wife after obtaining divorce from her first/previous husband,



solemnized the marriage with the petitioner no.1/husband on 26.12.2023 as per Hindu Rites and Customs and one child was born out of the said wedlock.

5. On 03.04.2025, the parties arrived at a settlement and as per the said settlement deed, the petitioner and respondent no. 2 are living together as husband and wife since 26.12.2023 along with their child.

6. Petitioner and complainant/respondent no. 2 have appeared in person before the Court today and have been duly identified by their respective counsel, as well as the Investigating Officer, W/SI Chanjang, P.S. Mandawali.

7. The Court has also interacted with respondent no. 2 in-chambers today and she submits that she had married the petitioner on her own free will and volition.

8. The complainant/respondent No.2 states that the matter has been settled with the petitioner and she has no objection if the FIR is quashed against the petitioner. She further states that all the terms of the settlement have been complied with.

9. In view of the settlement between the parties, learned Standing Counsel (Crl.) for the State also has no objection if the present FIR is quashed.

10. In **Gian Singh v. 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.”



11. 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. 497/2023, under Section 354(D)/354(B)/506 of the IPC, registered at PS Mandawali, Fazalpur, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 497/2023, under Section 354(D)/354(B)/506 of the IPC, registered at PS Mandawali, Fazalpur, Delhi, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

JULY 10, 2025/kr/sc