



2025:DHC:3648



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

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Date of decision: 13.05.2025

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CRL.M.C. 2656/2025 & CRL M.A 11936/2025

JAYA AGARWAL

.....Petitioners

Through: Mr. Subhash Baghel & Mr. Sachin Miglani, Advs.

versus

THE STATE & ANR.

... Respondents

Through: Mr. Satinder Singh Bawa, APP for the State with SI Vaibhav Singh, PS Sarita Vihar.

Mr. Rishi Kapoor, Mr. Ankur Gogia, Ms. Kajal Bhatia, Mr. Rahul Kumar & Mr. Ankit Anand, Advs. for R-2 along with R-2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 0125/2024 dated 08.04.2024 under Sections 342 IPC, P.S. Sarita Vihar, Delhi, and all proceedings arising therefrom pursuant to a settlement between the parties.

2. Briefly stated the facts of the matter according to the FIR is that, on 6th February 2024, Respondent No. 2 was locked inside the house by Petitioner Jaya Agarwal, preventing her from attending a court hearing in HMA No. 433/2022. She was released with help from a house help, and the



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incident was captured on CCTV. Based on her complaint, FIR No. 125/2024 under Section 342 IPC was registered at PS Sarita Vihar on 08.04.2024.

3. During the pendency of HMA No. 433/2022, both parties were referred to mediation at the Counselling Cell, Saket Courts, resulting in a Settlement Deed dated 18.11.2024. Pursuant to this, the petitioner's son Sray Agarwal and Respondent No. 2 jointly filed HMA No. 289/2025 under Section 13B(2) of the Hindu Marriage Act. Their marriage was subsequently dissolved by judgment and decree dated 07.03.2025 based on their joint statement. As per the settlement, the petitioner's son Sray Agarwal agreed to transfer the DDA SFS Freehold Flat No. C-654 (second and third floor), Sarita Vihar, New Delhi, to Respondent No. 2 as full and final settlement of all claims related to stridhan, dowry, and maintenance. A copy of the Compromise/Settlement Deed dated 18.11.2024 has been placed on record as *Annexure B*.

4. The matter was placed before the Joint Registrar on 22.04.2025, who has recorded the statements of both the parties and passed the following orders:-

"22.04.2025

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

Respondent no. 2 lodged FIR No. 125/2024, Under Section 342 IPG registered at PS Sarita Vihar, Delhi against the petitioner. The charge sheet has not been filed against the petitioner till date.



The petitioner is her ex-mother in law. There is a connected case CRL MC. 2671/2025 also listed today in which the offences involved are sensitive and women centric, involving sexual assault, therefore her identity has been masked in that petition as well as in this petition to prevent revealing of her identity.

Respondent no. 2 has voluntarily and without any pressure or coercion from anyone and with the intervention of friends, family members and well wishers settled all her issues and disputes with all the petitioner; and out of her free will have entered into Settlement with the petitioner at the counselling cell in the court of Judge Family Court, South East District, Saket, in HMA No. 433/2022. The copy of the counselling settlement is on record as Annexure B at page no. 26 onwards bearing her signatures, however the same have been masked to prevent revealing of her identity.

Respondent no. 2 further states that she has voluntarily and amicably resolved all her issues and disputes with the petitioner. It is stated that the petitioner has duly complied with all the terms of the settlement; and the Respondent no. 2 has duly reiterated the same in her statement recorded today in CRT MC No. 2671/2025 and she prays that the said statement be read in conjunction with this statement.

Respondent no. 2 does not wish to pursue FIR No. 125/2024, Under Section 342 IPC registered at PS Sarita Vihar, Delhi against the petitioner.

Respondent no. 2 undertakes to cooperate in the quashing of the abovesaid FIR. Respondent no. 2 shall fully cooperate in quashing of the abovesaid FIR and raise no claim in future through any civil or criminal litigation with regards to the incident relating to the present FIR. Respondent no. 2 has given her affidavit of no objection for quashing of the abovesaid FIR against the petitioners is on record at page



no. 62-64 bearing her signatures however the same have been masked to prevent revealing of her identity.

Respondent no. 2 has been identified by his counsel & 10. This pre verified report along with the petition may be placed before the honorable Court on 13th May 2025 alongwith the statements recorded today.”

5. Respondent no.2 is present physically before the Court while Petitioner has entered her appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Vaibhav Singh from PS Sarita Vihar.

6. Respondent No. 2 confirms that gift deed of DDA SFS Freehold Flat No. C-654 (second and third floor), Sarita Vihar, New Delhi has been executed in her favour as full and final settlement of all claims related to stridhan, dowry, and maintenance, which is annexed as *Annexure C* and submits that the matter has been amicably settled with the Petitioner without any force, fear, or coercion. She has no objection to the terms and conditions mentioned in the Compromise/Settlement Deed dated 18.11.2024 and further submits that she has no objection if FIR No.125/2024, 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 125/2024 alongwith pending proceeding 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. 0125/2024 dated 08.04.2024 under Sections 342 IPC, P.S. Sarita Vhar, Delhi and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0125/2024 dated 08.04.2024 under Sections 342 IPC, P.S. Sarita Vhar, Delhi, along with 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 13, 2025/na