



2025:DHC:3727



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

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Date of decision: 14.05.2025

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CRL.M.C.2757/2025 & CRL.M.A. 12373/2025 (exemption)
RAJEEV KUMAR AND ORS.Petitioners

Through: Mr. Alok Singh, Mr.
Dharmendra Singh, Mr.
Kustwar and Mr. Ajay Jatav,
Advts. with petitioner no.1 in
person and petitioner nos.2 & 3
through VC.

versus

STATE OF NCT OF DELHI THROUGH P. S.
SHO CRIME (WOMEN) CELL NANAHPURA,
DELHI & ANR.Respondents

Through: Mr. Satinder Singh Bawa, APP
for the State with ASI
Omprakash, PS-CWC, Nanak
Pura.
Mr. Nakul Antil, Adv. for R2
with R2 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. 70/2023 Under



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Sections 498A, 34, 406 of the Indian Penal Code registered at P.S. CRIME (WOMEN) CELL NANAK PURA, 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 24.11.2012 as per Hindu rites and ceremonies at Delhi. There are two children namely Ms. Sanvi (DOB 21.05.2014) and master Aarav (DOB 16.11.2015) born from the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 26.04.2023. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. During the proceedings, both parties entered into a Compromise/Settlement Deed dated 14.12.2023. Pursuant to this, both the parties started residing together and abide by the terms and conditions of the settlement. The Compromise/Settlement Deed dated 14.12.2023 is annexed as *Annexure P3*.

4. The matter was placed before the Joint Registrar on 24.04.2025, who has recorded the statements of both the parties and passed the following orders:-

“24.04.2025

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 70/2023 Under Sections 498A, 34, 406 of the Indian Penal Code registered at P.S. CRIME



(WOMEN) CELL NANAK PURA on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. Learned counsel for petitioners submits that P-2 and 3 are appearing through virtual mode. They submit that they have amicably settled the matter.

3. Vide separate statement recorded in this behalf, P-1 stated that dispute between petitioners and R-2 has been amicably settled as per the settlement deed dated 14.12.2023. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R2 stated that dispute between R-2 and petitioners has been amicably settled as per the settlement deed dated 14.12.2023. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 14.05.2025."



5. Petitioner nos.1 and Respondent No.2 are physically present before the Court while petitioner no.2 & 3 entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer ASI Om Prakash from PS CWC, Nanakpura.

6. Respondent No. 2 confirms that the matter has been amicably settled with the Petitioners without any force, fear, or coercion and has been living with petitioner no.1 peacefully since December 2023 in terms of compromise/settlement Deed dated 14.12.2023 and further submits that she has no objection if FIR NO. 70/2023 Under Sections 498A, 34, 406 of the Indian Penal Code registered at P.S. CRIME (WOMEN) CELL NANAK PURA, 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 NO. 70/2023 Under Sections 498A, 34, 406 of the Indian Penal Code registered at P.S. CRIME (WOMEN) CELL NANAK PURA 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



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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. 70/2023 Under Sections 498A, 34, 406 of the Indian Penal Code registered at P.S. CRIME (WOMEN) CELL NANAK PURA and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR NO. 70/2023 Under Sections 498A, 34, 406 of the Indian Penal Code registered at P.S. CRIME (WOMEN) CELL NANAK PURA, 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 14, 2025/na