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

+ **CRL.M.C. 2771/2025**

HITENDER UPPAL & ORS.

.....Petitioners

Through: Mr. Rajnish Ranjan, Adv. (through VC) along with the petitioners (through VC)

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State.

SI Sonika, PS Binda Pur.

Mr. Manmohan, Adv. For R-2 along with the R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **21.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 12422/2025 (Delay 7 days re-filing)

2. The present application under Section 528 of the BNSS seeks condonation of delay of 7 days in re-filing the present petition.

3. In view of the averments made in the application, and in the interest of justice, the application is allowed and disposed of.

4. The delay of 7 days in re-filing the present petition is condoned.

CRL.M.C. 2771/2025

5. The present petition under Section 528 of the BNSS read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 08/2015, under Sections 498A/406/34 of the IPC, registered at PS Binda Pur, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned Metropolitan

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Magistrate, Dwarka Courts, Delhi.

6. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 05.12.2012 as per Hindu Rites and Customs and on 06.12.2013, one male child was born out of the said wedlock.

7. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 27.01.2014. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law), petitioner no. 3 (mother-in-law) and petitioner no. 4 (sister-in-law).

8. On 13.09.2024, the parties arrived at a settlement and as per the said Settlement Agreement, petitioner no.1 has agreed to pay an amount of Rs. 16,50,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future. (Annexure P-3).

9. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 06.03.2020, passed by the learned Principal Judge, Family Courts, Dwarka, New Delhi. Further, as per the settlement deed, an amount of Rs. 16,50,000/- has already been paid to respondent no.2. As per the said divorce deed, custody of the minor child will be with the respondent no. 2/wife and the petitioner no. 1/husband will have no visitation rights.

10. Petitioner no. 1 to 4 and complainant/respondent no. 2 are present in Court through Video Conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Sonika, P.S. Binda Pur.

11. The matter was also placed before the learned Joint Registrar who has

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recorded the statements of petitioners on 25.04.2025, which are as under: -

“We are the petitioners in the present matter. The dispute between us and R-2 been amicably settled as per the settlement deed dated 13.09.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. We have signed the settlement deed with our wish and will. We shall be bound by the statement as stated above.”

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

13. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

14. 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.”

15. 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 FIR No. 08/2015, under Sections 498A/406/34 of the IPC, registered at PS Binda Pur, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of

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competent jurisdiction.

16. In the interest of justice, the present petition is allowed, and the FIR No. 08/2015, under Sections 498A/406/34 IPC, registered at PS Binda Pur, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Apoorva Rana, learned Metropolitan Magistrate, Dwarka Courts, Delhi, is hereby quashed.

17. It is, however, directed that this order shall not come in the way of the minor child in claiming his rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

18. Petition is allowed and disposed of accordingly.

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

20. Copy of the order be communicated to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MAY 21, 2025/kr/sc

Click here to check corrigendum, if any