



2025:DHC:4701



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

% **Date of decision: 28.05.2025**

+ CRL.M.C. 2773/2025

SANJAY PAHUJA AND ORSPetitioners

Through: Mr. Satbeer, Mr. Sanjay and
Mr. Sachin Kumar, Advs. along
with petitioners.

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Raghuinder Verma, APP
for State.
Mr. Sneh Lata, Adv. for R-2
along with R-2.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 12427/2025 (Exemption)

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

CRL.M.C. 2773/2025

3. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 697/2017 dated 06.12.2017 for offences under



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Sections 498A/406/34, registered at Police Station Rajouri Garden (“subject FIR”) and all consequential proceedings arising therefrom.

4. Issue notice.

5. Notice is accepted by Mr. Satish Kumar, the learned APP for State and by learned counsel for the respondent no. 2.

6. The learned counsel for the petitioners submits that the petitioner no. 1 is the husband of respondent no. 2 and their marriage was solemnized on 04.09.2007 as per Hindu Rites and customs and one baby girl, Bhavya, was born out of the said wedlock. The petitioner no. 2 and petitioner no. 3 are sister-in-law and brother-in-law of the respondent no. 2, respectively. He submits that due to the extreme incompatibilities between the petitioners and respondent no. 2, coupled with raising demands of dowry and increasing harassment, led to the registration of the subject FIR and filing of multiple complaints against the petitioners before different judicial fora.

7. Thereafter, during the pendency of litigation, with the intervention of family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of all disputes persisting between them and have stated to be living separately since 09.04.2015. Subsequent thereto, he submits, the marriage between the petitioner no. 1 and respondent no. 2 was dissolved by a decree of divorce by mutual consent dated 28.01.2025 passed by the learned Principal Judge, Family Courts, Tis Hazari Courts, New Delhi.



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8. The present petition is premised on the assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Memorandum of Understanding (MoU) dated 19.11.2024 has been duly executed between the petitioners and the respondent No. 2. It is further submitted that, in terms of the said Mediation Settlement Deed, respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

9. As per the terms of the Settlement, the petitioner no.1 has agreed to pay a total sum of Rs. 8,00,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, permanent alimony, in three (03) instalments. Furthermore, it is agreed between the parties the child should remain in care and custody of the respondent no. 2 and the petitioner no. 1, petitioner no. 2 and his family member should have visitation rights as to meet the girl child once in two months. The said Settlement Deed dated 19.11.2024 embodying the terms of settlement has been placed on record.

10. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 21.05.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in her statement before the Joint Registrar (Judicial), has stated therein, that she has received the



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entire settlement amount and has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed.

11. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

12. The respondent no. 2, who is present in court, upon being queried, confirms that she entered into the said MoU, out of her free will, without any coercion, force or undue influence and that she has withdrawn the litigations filed by her before different Judicial fora and no other litigation remains pending between the partes. She submits that she has received the entire settlement amount of Rs. 8,00,000/-, by way of 2 instalments i.e. one of Rs. 5,00,000/- and the other of Rs. 3,00,000/-, as full and final settlement of all her claims including maintenance (past, present and future), permanent alimony and the parties are abiding by the terms of settlement. She submits that the child should remain in her care and custody and the petitioner no. 1, petitioner no. 2 and his family member should have visitation rights as to meet the girl child once in two months. Furthermore, she submits that the marriage has been dissolved *vide* the decree dated 28.01.2025 and has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

13. In view of the foregoing, the learned counsels for the parties prays that the subject FIR and all consequential proceedings arising therefrom be quashed.



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14. Mr. Satish Kumar, the learned APP for State affirms that the State has no objection to the subject FIR being quashed.

15. In these circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.***: (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.***: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

16. In conspectus of the above facts and the Settlement Deed dated 10.12.2024, the subject FIR bearing No. 697/2017 dated 06.12.2017 for offences under Sections 498A/406/34, registered at Police Station Rajouri Garden and all proceedings arising therefrom are hereby quashed.

17. Accordingly, the present petition stands disposed of.

SHALINDER KAUR, J

MAY 28, 2025/sds/KP

Click here to check corrigendum, if any