



2025:DHC:4748



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

% **Date of decision: 30.05.2025**

+ CRL.M.C. 2808/2025

SH. DINESH KUMAR AND ORSPetitioners

Through: Mr. Rajneesh Kapoor, Mr. S.S.
Rawat and Mr. Praveen Kumar,
Advs.

versus

THE STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Raghuinder Verma, APP
for State with Mr. Ashish
Mahani, Mr. Bhuman Bansal
and Mr. Ashok Kumar Shukla,
Advs.
W/SI Sangam Yadav, P.S.
Mayur Vihar, Delhi.
Mr. Praveen Kumar, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 12542/2025, CRL.M.A. 12543/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

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3. The present petition Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioners seeking to quash the FIR No. 187/2016, under Sections 498A/ 406/34 of the Indian Penal Code, 1860, registered at Police Station Mayur Vihar, Delhi (“subject FIR”) and all other proceedings emanating therefrom.

4. The learned counsel for petitioners submits that petitioner No.1 is the ex-husband of the respondent No.2 their marriage was solemnized on 09.02.2004 at Delhi, as per the Hindu rites and one male child was born out of this wedlock. The petitioner no.2 is the father-in-law, petitioners No.3 & 5 are brothers-in-law, petitioner No. 4 & 6 are the sisters-in-law, respectively, of the respondent no. 2.

5. The learned counsel submits that due to the irreconcilable and temperamental differences, the marriage of the petitioner no.1 and the respondent no. 2 has suffered an irretrievable breakdown and the parties have been stated to be living separately since May, 2013. Subsequent thereto, he submits, the temperamental differences developed between the petitioners and respondent no. 2, coupled with the raising demands for dowry and increasing harassment, led to the registration of the subject FIR and filing of litigation by the respondent no. 2.

6. The learned counsel further submits that during the pendency of litigation, upon request by the parties, the parties were referred the Principal Counsellor, Family Court, Karkardooma Courts, wherein, they have amicably resolved their disputes and no dispute persist between them. Subsequent thereto, he submits, the marriage between



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the petitioner no. 1 and respondent no. 2 was dissolved by a decree of divorce by mutual consent dated 09.01.2025 passed by the learned Judge Family Courts, Karkardooma Courts, New Delhi.

7. 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 Mediation Settlement dated 03.09.2024, has been duly executed between the petitioners and respondent No. 2. It is further submitted that, in terms of the said settlement, the respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

8. As per the terms of the Settlement, the petitioner no.1 has agreed to pay a total sum of Rs. 11,00,000/- 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 two (02) instalments. Furthermore, it is agreed between the parties that the girl child shall remain in care and custody of the respondent no. 2. The said Mediation Settlement dated 03.09.2024 embodying the terms of settlement has been placed on record.

9. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 25.04.2025 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), stated that she has no objection if the subject FIR and all the proceedings emanating therefrom are quashed.



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10. 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.

11. The complainant/respondent no. 2, who is present-in-person before this Court, upon being queried, confirms that the Settlement dated 03.09.2024 has been entered into between the parties and that in full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, dowry, articles, jewellery, permanent alimony etc. she has received entire settlement amount of Rs. 11,00,000/- from petitioner No. 1, in compliance of the terms of the said Settlement. She also confirms that the marriage has been dissolved *vide* the decree dated 09.01.2025 and no litigation stand pending between the parties. Furthermore, she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

12. In view of the foregoing, the learned counsels of the parties, jointly prayed, for quashing of the subject FIR and all consequential proceedings arising therefrom.

13. The learned APP, appearing on behalf of the State, submits that there is no objection is the subject FIR and all consequential proceedings arising therefrom are quashed.

14. In view of 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



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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.

15. In conspectus of the above facts and the Mediation Settlement dated 03.09.2024, the subject FIR bearing No. 187/2016, under Sections 498A/ 406/34 of the Indian Penal Code, 1860, registered at Police Station Mayur Vihar, Delhi and all consequential proceedings emanating therefrom, are hereby quashed.

16. The present petition and pending application are, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 30, 2025/r/sds/kp

Click here to check corrigendum, if any