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

+ **CRL.M.C. 2825/2025**

SH. DEEPAK KUMAR JHA & ORS.Petitioners

Through: Mr. Rakesh Jaiswal, Adv. (Through
VC)

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
SI Sumeet Poonia, D-6224, PS Vivek
Vihar.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **23.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 12632/2025

2. Allowed, subject to all just exceptions. This application is disposed of.

CRL.M.C. 2825/2025

3. The present petition filed under Section 528 of the BNSS seeks quashing of FIR No. 12/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Vivek Vihar, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Moksha Bains, learned JMFC, Mahila Courts-02, Karkardooma Courts, Delhi.

4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 08.06.2014 as per Hindu rites and ceremonies.

5. No child was born out of the said wedlock.

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6. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 10.09.2018. Subsequently, respondent no.2/complainant lodged an FIR against the petitioner no. 1 (husband), petitioner no. 2 (brother-in-law), petitioner no. 3 (mother-in-law).

7. On 04.04.2024, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs.7,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including jewellery, *istridhan*, permanent alimony and maintenance - present, past and future.

8. In terms of the said settlement, the marriage between the parties stands dissolved by an impugned order/ judgment granting divorce dated 04.11.2024, passed by Dr. Savitri, Judge, Family Court-02, Shahdara District, Karkardooma Courts.

9. Petitioner Nos. 1 to 3 and complainant/respondent no. 2 appears in person through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Sumeet Poonia, PS Vivek Vihar.

10. The matter has been placed before the Joint Registrar who has recorded the statement of respondent no. 2 *vide* on 28.04.2025 which reads as under: -

“I am the Respondent no. 2 in the present petition. At my instance, FIR No. 12/2021, Under Section 498-A/406/34 IPC, was registered at PS Vivek Vihar, Delhi. The charge sheet has been filed against the petitioners.

Now, I have voluntarily and without any pressure or coercion from anyone and after obtaining 'due legal advice settled all my issues and disputes with the petitioners and out of my free will have entered into Mediation Settlement dated 04.04.2024 with the petitioner before Mediation Centre, New Delhi, Karkardooma Courts, titled as Pooja Kumari Vs. Deepak Kumar Jha & Ors. in case No. 519/2021, which is on record as Annexure - C at page 54

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bearing my signatures.

As per the settlement, I have already received a sum of Rs. 4,00,000/- as well as today I have received a demand draft for a sum of Rs. 3,00,000/- bearing no. 416291, drawn on Canara Bank, dated 25.02.2025 today in the court. Subject to realization of the demand draft handed over today, I will receive the total settlement amount of Rs. 7,00,000/- and subject to the honour of demand draft handed over today, I have no objections, if the FIR No. 12/2021, Under Section 498-A/406/34 IPC, registered at PS Vivek Vihar, Delhi and all proceedings emanating there from are quashed against all the petitioners.

This settlement amount is towards settlement of all my articles and Stridhan as well as towards my alimony and maintenance past, present and future whatsoever and I shall not claim anything in this regards in future by way of any litigation. I shall abide by all the terms of the settlement and . fully cooperate in quashing of the present FIR.

There is no child born out the wedlock.

I have already withdrawn all other cases instituted by me against the petitioner. I further undertake to withdraw any other case, if any remaining. I have already obtained divorce by mutual consent from petitioner no. in I-IMA No. 201712024 vide decree dated 04.11.2024 from the Cc)urt of Ld. Judge, Family Court, Shahdara District, Karkardooma Courts, Delhi. The decree sheet is on record as Annexure B at page 45 onwards.

Now, I have no objection whatsoever if the present FIR against the petitioners is quashed and I shall fully cooperate in quashing of the present FIR and raise no claim in future through any civil or criminal litigation with regards to the incident relating to the present FIR. I have also given my affidavit in support of the present petition which is at page no. 23-24 of the petition bearing my signatures.

This is my true statement being made voluntarily in the presence of my counsel. I fully understand the consequence of making this statement. This statement has been signed by me in the presence of my counsel after the same has been read over to me in Hindi.””

11. Complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further

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states that all the terms of the agreement have been complied with.

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

13. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the 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 proceeding.”

14. 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 present FIR No. 12/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Vivek Vihar, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Moksha Bains, learned JMFC, Mahila Courts-02, Karkardooma Courts, Delhi.

15. In the interest of justice, the petition is allowed, and the FIR No. 12/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Vivek Vihar, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Moksha Bains, learned JMFC, Mahila Courts-02, Karkardooma Courts, Delhi, is hereby quashed.

16. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 23, 2025/kr

[Click here to check corrigendum, if any](#)

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