



2025:DHC:4317



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

% **Date of decision: 23.05.2025**

+ CRL.M.C. 2840/2025

DINESH CHAND AND ORSPetitioners

Through: Mr. A. K. Thakur, Adv. with
petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP
with IO.

Respondent no. 2 in person.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 12699/2025 (Exemption)

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

CRL.M.C. 2840/2025

3. The present petition has been filed by the petitioners under



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Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 394/2018 dated 30.06.2018 for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860, registered at Police Station Nihal Vihar (“subject FIR”) and all other proceedings emanating therefrom.

4. The learned counsel for the petitioners submits that the respondent no. 2 is wife of the petitioner no. 1 and their marriage was solemnized on 18.04.2017, as per the Hindu rites and ceremonies and that one male child has been born out of the said wedlock. He submits that the incompatible behaviour, conduct and temperament of the parties, coupled with raising dowry demand and increasing harassment, led to the registration of the subject FIR.

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 living separately since December, 2017.

6. The learned counsel further submits that during the pendency of the litigations, the parties, on request, were referred to the Mediation Centre, Tis Hazari Courts, New Delhi, wherein, they have arrived at an amicable and voluntary resolution of all disputes persisting between them *vide* Mediation Settlement dated 14.05.2024. The divorce by way of mutual consent has also taken place between the parties *vide* the divorce decree dated 25.11.2024 passed by the learned Judge, Family Court-01, West District, Tis Hazari Courts Delhi.

7. The present petition is premised on the aforesaid assertion that



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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 Deed dated 14.05.2024 has been duly executed between the petitioner no. 1 and the 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 Mediation Settlement, the petitioner no. 1 has agreed to pay a total sum of Rs. 3,85,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), permanent alimony. The Settlement Deed dated 14.05.2024 outlining 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 28.04.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in his statement before the Joint Registrar (Judicial), has stated therein, that she has no objection if the subject FIR and all the proceedings emanating therefrom is quashed.

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



Deed dated 14.05.2024 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 the entire amount of consideration of Rs. 3,85,000/- from petitioner no. 1, in four instalments by way of Demand Drafts, in compliance of the terms of the said Settlement. The respondent no. 2 also confirms that the marriage has been dissolved *vide* the decree dated 25.11.2024 and no litigation remains 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.

13. The learned APP on behalf of the state submits that there is no objection if the subject FIR is 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 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 Settlement Deed dated



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05.11.2024, the subject FIR bearing No. 394/2018 dated 30.06.2018 for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860, registered at Police Station Nihal Vihar and all consequential proceedings emanating therefrom, are hereby quashed.

16. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 23, 2025/ss/kp

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