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

+ **CRL.M.C. 2947/2025**

PRAMOD MATHPAL AND ORS

.....Petitioners

Through: Mr. Vikas Dudeja and Mr. Saud Khan,
Advocates along with petitioner no. 1
in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Braham Parkash, P.S.
Sultan Puri.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **27.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 13111/2025 (Exemption)

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

CRL.M.C. 2947/2025

3. The present petition under Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 858/2022, under Sections 498A/406/506/34 of the IPC (Sections 85/316/351/3(5) of the BNS), registered at P.S. Sultan Puri, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Judicial Magistrate First Class, Mahila Court, Rohini Courts, Delhi.

4. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 20.06.2021 as per Hindu Rites and Customs and



one male child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from September 2022. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.

6. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the proceedings, the petitioner no.1 has settled the matter with respondent no. 2 *vide* Memorandum of Understanding dated 20.01.2025 and in pursuance of which respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed. It is further submitted that respondent no. 2 has been living together with petitioner no. 1 along with their minor child at their matrimonial home since 07.02.2024.

7. Petitioner no. 1 and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, W SI Braham Parkash, P.S. Sultan Puri.

8. On an oral exemption by the learned counsel for the petitioners, personal appearance of petitioner nos. 2 to 4 is exempted.

9. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 06.05.2025: -

“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 858/2022 Under Sections 498-A/406/506/34 of the Indian Penal Code registered at P.S. SULTAN PURI on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. P-4 is present in Court through virtual mode and stated that matter has been amicably settled.

3. Vide separate statement recorded in this behalf, P-1 to 3 stated that dispute between petitioners and R-2 has been amicably



settled as per the settlement deed dated 20.01.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioners has been 'amicably settled as per the settlement deed dated 20.01.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 27.05.2025.”

10. Respondent no. 2 submits that the matter has been settled with the petitioners and she has been living with petitioner no.1 along with their child at their matrimonial home since 07.02.2024. She further states that she has no objection, if the present FIR is quashed.

11. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

12. In *Gian Singh vs. 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.”

13. 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. 858/2022, under Sections 498A/406/506/34 of the IPC (Sections 85/316/351/3(5) of the BNS), registered at P.S. Sultan Puri, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Judicial Magistrate First Class, Mahila Court, Rohini Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 858/2022, under Sections 498A/406/506/34 of the IPC (Sections 85/316/351/3(5) of the BNS), registered at P.S. Sultan Puri, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Judicial Magistrate First Class, Mahila Court, Rohini Courts, Delhi, are hereby quashed.

15. Petition is allowed and disposed of accordingly.

16. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MAY 27, 2025/bsr

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