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

+ **CRL.M.C. 2963/2025**

SATISH JERATH & ANR.

.....Petitioners

Through: Mr. S.C. Singhal, Advocate along
with petitioners in person.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Sonia, P.S. Defence
Colony.
Ms. Harshit Gulati, Advocate for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **26.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 13203/2025 (Exemption)

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

CRL.M.C. 2963/2025

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 17/2017, under Sections 498A/406/506/34 of the IPC, registered at P.S. Defence Colony and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Neha Saini, learned Judicial Magistrate First Class, Mahila Court, Saket Courts, Delhi.

4. The marriage between the petitioner's son, namely, Kunal Jerath and



the respondent no.2 was solemnized on 12.12.2013 as per Hindu Rites and Customs and one male child was born out of the said wedlock.

5. Due to matrimonial differences between petitioners' son and respondent no. 2, the parties resided separately from June, 2019. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners and their son, namely Kunal Jerath (husband of respondent no. 2), who has since been discharged by the learned Trial Court *vide* order dated 15.02.2023 passed by the learned Trial Court.

6. On 24.10.2024, the parties arrived at a settlement and as per the said settlement deed (Annexure P-3), petitioners' son has agreed to pay an amount of Rs. 70,00,000/- to the respondent no.2 towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future.

7. In terms of the said settlement, the marriage between the petitioners' son and respondent no. 2 stands dissolved by a decree of divorce dated 19.03.2025, passed by the learned Principal Judge, Family Court, South, Saket. As per the said settlement, custody of the minor child will be with the respondent no. 2 and the petitioners will have visitation rights as per the convenience of the child.

8. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, Sub Inspector Sonia, P.S. Defence Colony.

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 dated 01.05.2025:

“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. 17/2017 Under Sections 498A/406/506/34 of the Indian Penal Code registered at P.S. Defence Colony 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. Learned counsel for petitioner submits that one accused Mr. Kunal Jerath who was initially accused got discharged by the learned Trial Court.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 24.10.2024. 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 24.10.2024. 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 26.05.2025.”

10. The Complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed against the petitioners. She further states that all the terms of the settlement



have been complied with.

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

12. In **Gian Singh v. State of Punjab (2012) 10 SCC 303**, 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 proceedings.”

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 FIR No. 17/2017, under Sections 498A/406/506/34 of the IPC, registered at P.S. Defence Colony and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Neha Saini, learned Judicial Magistrate First Class, Mahila Court, Saket Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 17/2017, under Sections 498A/406/506/34 of the IPC, registered at P.S. Defence Colony and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Neha Saini, learned Judicial Magistrate First Class, Mahila Court, Saket Courts, Delhi, is hereby quashed.



15. It is, however, directed that this order shall not come in the way of the minor child in claiming his rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.
16. Petition is allowed and disposed of accordingly.
17. Pending application(s), if any, also stand disposed of.
18. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MAY 26, 2025/bsr/sc

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