



2025:DHC:4699



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

% **Date of decision: 27.05.2025**

+ CRL.M.C. 3052/2025

MR. LOKENDER SINGH & ORS.Petitioners
Through: Mr. Matloob Alam, Advocate.

Versus

THE STATE GOVT OF (N.C.T. OF DELHI) & ANR.

.....Respondents
Through: Ms. Meenakshi Dahiya, APP
for State with Inspector B.D.
Meena, PS Sunligh Colony and
SI Prem Raj, PS Badarpur.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 13545/2025 (Exemption)

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

CRL.M.C. 3052/2025

3. The present petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 214/2016 dated 27.06.2016 for offences under Sections 498A/406/34 of the Indian Penal Code, 1860, registered at Police Station Badarpur ("subject FIR") and all consequential proceedings arising therefrom.



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4. The learned counsel for the petitioners submits that the petitioner no. 1 is the husband of respondent no. 2 and their marriage was solemnized on 16.04.2014, as per the Hindu rites and ceremonies. A girl child, namely, Kanak was born out of the said wedlock. The petitioner no. 2 and the petitioner no. 3 are the father-in-law and mother-in-law, respectively, of the respondent no. 2. 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.

5. The learned counsel further submits that during the pendency of litigation, upon request by the parties, the parties were referred to the Mediation Centre, Saket Courts, New Delhi, wherein with the intervention of family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of all disputes persisting between them and have stated to be living separately since 25.08.2015. Subsequent thereto, he submits, the marriage between the petitioner no. 1 and respondent no. 2 was dissolved by a decree of divorce by mutual consent dated 05.09.2024 passed by the learned Judge Family Courts, South East, Saket, New Delhi.

6. 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 Settlement dated 16.08.2023, has



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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.

7. As per the terms of the Settlement, the petitioner no.1 has agreed to pay a total sum of Rs. 2,80,000/- 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 Settlement dated 16.08.2023 embodying the terms of settlement has been placed on record.

8. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 02.05.2025 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), has stated therein, that she has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed.

9. 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.

10. The respondent no. 2, who is present in court, upon being queried, confirms that she entered into the said Mutual Compromise out of her free will, without any coercion, force or undue influence



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and that she has withdrawn the litigations filed by her before different Judicial fora and no other litigation stands pending between the parties. She submits that her marriage with petitioner no. 1 has been dissolved by a decree of divorce by mutual consent dated 05.09.2024 passed by the learned Judge Family Courts, South East Saket, and that she has received the entire settlement amount of Rs. 2,80,000/-, as a full and final settlement of all her claims, in three instalments by way of demand drafts. She states that Rs.1,20,000/-, was paid to her at the time of recording of her statement under Section 13B(I) of the Hindu Marriage Act, 1955, Rs.1,00,000/- at the time of recording of her statement under Section 13B(II) of the HMA. The balance amount of Rs.60,000/-, in cash, has been received by her today. She submits that she is living separately from the petitioner no.1 since 25.08.2015. Furthermore, she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

11. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

12. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.

13. 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,



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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.

14. In conspectus of the above facts and the Mutual Compromise/Settlement dated 16.08.2023, the subject FIR bearing No. 214/2016 dated 27.06.2016 for offences under Sections 498A/406/34 of the Indian Penal Code, 1860, registered at Police Station Badarpur and all consequential proceedings emanating therefrom, are hereby quashed.

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

SHALINDER KAUR, J

MAY 27, 2025/sv/kp

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