



2025:DHC:4734



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

% **Date of decision: 26.05.2025**

+ W.P.(CRL) 1446/2025

ARUN JAIN & ANR.

.....Petitioners

Through: Mr. Vikas Sharma, Adv.

versus

STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjay Lao, Standing
Counsel for State.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 13467/2025 (Exemption)

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

W.P.(CRL) 1446/2025

1. The present petition has been filed by the petitioners under Article 226/227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 0947/2019 under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961 registered at Police Station New Usmanpur ("subject FIR") and all consequential proceedings arising therefrom.
2. 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 06.03.2016, as per the Hindu rites and ceremonies. The petitioner no. 2 is the father -in-law of the respondent no. 2. No child was born out of the said wedlock. Subsequent thereto, he submits, the temperamental differences developed between the petitioner no. 1 and respondent no. 2, coupled with the raising demands for dowry and increasing harrasment, led to the registration of the subject FIR.

3. The learned counsel further submits that during the pendency of the litigations, the parties were referred to the Counselling Cell, Karkardooma Court, Delhi, wherein, the parties have arrived at an amicable settlement on 19.10.2024. Subsequently, the marriage of the petitioner no. 1 and respondent no. 2 has been dissolved by mutual consent *vide* decree of divorce dated 11.02.2025, passed by the learned Principal Judge, Family Court, Karkardooma Courts, Delhi. The said decree of divorce by way of mutual consent dated 11.02.2025 has been handed over across the board and the same is taken on record.

4. 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, Settlement Deed dated 19.10.2024, has 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. As per the terms of the said Settlement, the petitioner no. 1 has agreed to pay a total sum of Rs. 7,00,000/- to the



respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), permanent alimony in three (03) instalments. The said Settlement dated 19.10.2024 embodying the terms of settlement has been placed on record.

5. 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.

6. 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.

7. The respondent no.2, who is present in court, upon being queried, confirms that she has received a sum of Rs. 7,00,000/-, in three instalments, in full and final settlement of all her claims, including those pertaining to maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., in accordance with the terms of the Settlement. She also confirms that the marriage between the parties has been dissolved by way of mutual consent *vide* decree dated 11.02.2025, passed by the learned Principal Judge, Family Court, Karkardooma Courts, Delhi and that no other litigation remains pending between the parties. Furthermore, she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.



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8. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.
9. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.
10. 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.
11. In conspectus of the above facts and the Mediation Settlement dated 19.10.2024, the subject FIR bearing No. 0947/2019 under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961 registered at Police Station New Usmanpur and all consequential proceedings emanating therefrom, are hereby quashed.
12. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 26, 2025/SU/KP

Click here to check corrigendum, if any