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

+ W.P.(CRL) 1453/2025 and Crl.M.A. No. 13569/2025

DHARMENDER SINGH

.....Petitioner

Through: Mr.Chetan, Advocate with petitioner
in person.

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Mr.Anand V. Khatri, ASC with SI P
Buno, PS Madhu Vihar
Mr.Ajay Kumar, Advocate with
complainant in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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02.09.2025

1. Petitioner herein seeks quashing of an FIR No. 83/2016 dated 03.02.2016 under Sections 498A/406/34 IPC, registered at P.S. Madhu Vihar, Delhi, along with all the proceedings arising therefrom, on the basis of the compromise arrived between the parties.
2. Dispute between the parties arose from the matrimonial discord between Petitioner no.1 (Husband) and Respondent no.2 (Wife) stated to be caused by temperamental differences between them. The couple got married on 22.02.2015 according to Hindu rites. However, they are living separately since 10.03.2015. Subsequently, on the basis of the complaint of Respondent no.2, the aforesaid FIR was registered against the petitioner.



3. Learned Counsel for the petitioner submits that the parties, submits that the parties have now amicably settled the matter out of their own volition and without any coercion or undue influence by way of settlement *vide* Memorandum of Understanding (MoU) dated 03.09.2024 (Annexure-6). Learned counsel further submits that the affidavit to the effect of no objection to quashing deposed by respondent No.2/ complainant is also placed on record. He further submits that pursuant to the settlement, marriage between the petitioner and respondent no.2 has already been dissolved by a decree of divorce dated 10.03.2025.
4. Parties are present in the Court, and have been identified by their counsel and the concerned Investigating Officer. Pursuant thereto they have obtained divorce through mutual consent *vide* decree dated 10.03.2025 of the Judge, Family Courts East District, Karkardooma Courts, Delhi.
5. Respondent No.2, on a Court query, candidly submits that she has amicably resolved her differences with the petitioner and has entered into the settlement out of her own free will, without any pressure, coercion, or undue influence. She further states that pursuant to the settlement, the petitioner has complied with the terms of settlement to her satisfaction and nothing remains payable to her. She also states that in view of the settlement, she does not wish to press any charges against the petitioner.
6. The learned ASC for the State also does not oppose the prayer made by the petitioner seeking quashing of the FIR in question in view of the settlement arrived between the parties.
7. In the aforesaid backdrop, I have heard learned counsel for the Petitioner and Respondent No.2 as well as perused the material available on record.



8. Since respondent no. 2 does not wish to press charges against the petitioner and in the absence of any incriminating material against them, coupled with the fact that the parties have amicably compromised the matter, the proceedings would amount to an abuse of the process of law.

9. The dispute, being private and personal in nature arising out of their matrimonial relationship has been amicably resolved. The complainant herself does not wish to pursue the case. In these circumstances, pursuing the criminal case would serve no useful purpose, would unnecessarily burden the judicial system, and may even rekindle hostility between the parties, thereby defeating the very object of the settlement.

10. Thus, in the larger interest of justice, and in exercise of the inherent powers vested in this Court, it is deemed expedient to quash the FIR in question arising out of matrimonial dispute between the private parties. Reference may also be made to the judgment of the Supreme Court in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

11. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 83/2016 dated 03.02.2016 under Sections 498A/406/34 IPC, registered at P.S. Madhu Vihar, Delhi along with all consequential proceedings arising therefrom, are hereby quashed.

12. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

SEPTEMBER 2, 2025/SV