



2025:DHC:4176



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

% **Date of decision: 16.05.2025**

+ CRL.M.C. 3093/2025

AMIT TIWARI & ORS.

.....Petitioners

Through: Mr. Raghav Kapoor, Adv.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP
for State with SI Bharat Singh,
PS Uttam Nagar.

Mr. Akhilesh Kumar, Adv. for
R-2 along with R-2.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 13681/2025 (Exemption)

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

CRL.M.C. 3093/2025

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.80/2017 dated 18.02.2017 for offences under Sections 498A/406/34, registered at Police Station Uttam Nagar



(“subject FIR”) and all consequential proceedings arising therefrom.

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 04.02.2014, as per the Hindu rites and ceremonies. 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.

5. The learned counsel further submits that 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 17.03.2016. He submits that the marriage between the petitioner no. 1 and respondent no. 2 was dissolved by a decree of divorce by mutual consent dated 14.01.2025 passed by the learned Judge Family Courts, North-West District, Rohini, 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 Mutual Compromise/Settlement dated 28.08.2024, 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



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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. 9,00,000/- 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. The said Mutual Compromise/Settlement dated 28.08.2024 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 05.05.2025 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 would receive the entire settlement amount of Rs. 9,00,000/-, subject to the realisation of the demand drafts handed over to her before the Joint Registrar (Judicial) and 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 and that she has withdrawn the litigations filed by her before different Judicial fora and no other litigation stands pending between the



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parties. She submits that her marriage with petitioner no. 1 has been dissolved by a decree of divorce by mutual consent dated 14.01.2025 passed by the learned Judge Family Courts, North-West District, Rohini, Delhi and that she has received the entire settlement amount of Rs. 9,00,000/-, as a full and final settlement of all her claims, in three instalments by way of demand drafts. Furthermore, she is living separately from the petitioner no.1 since 17.03.2016 and has no objection if the subject FIR is 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, 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 28.08.2024, the subject FIR bearing No.80/2017 dated 18.02.2017 for offences under Sections 498A/406/34, registered at Police Station Uttam Nagar and all



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consequential proceedings emanating therefrom, are hereby quashed.

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

SHALINDER KAUR, J

MAY 16, 2025/ss/kp

Click here to check corrigendum, if any