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

+ **CRL.M.C. 3226/2025**

TARUN AGGARWAL AND ANOTHERPetitioners

Through: Ms. Babita, Adv. along with
petitioner in person.

versus

THE STATE (NCT OF DELHI) AND ANOTHER

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State and Ms. Mansi Sharma, Adv.
SI Vinay, PS Keshav Puram.
Mr. Vikas Sharma and Ms. Manvi
Rajvanshy, Adv. For R-2 along with
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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14.05.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 14218/2025(exemption)

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

CRL.M.C. 3226/2025

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No.225/2024, under Sections 498A/406/34 IPC, registered at PS Keshav Puram, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Preeti Rajouria, learned JMFC, Mahila Courts- 02, North West Dist., Rohini Courts, Delhi.

4. The marriage between the petitioner no.1/husband and the respondent

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no.2/wife was solemnized on 21.11.2019 as per Hindu Rites and Customs and on 12.08.2021 one female child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 03.09.2022. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband) and petitioner no. 2 (mother-in-law).

6. On 07.12.2024, the parties arrived at a settlement and as per the said settlement deed (Annexure P-2), petitioner no.1 has agreed to pay an amount of Rs. 10,50,000/- and exchange of certain articles with respect to Annexure A of the said settlement deed to the respondent no.2/wife 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 parties stands dissolved by a decree of divorce dated 07.03.2025, passed by Ms. Aditi Choudhary, learned Principal Judge, Family Courts, West District, Tis Hazari Courts, Delhi, (Annexure P-4). Further, as per the settlement deed, an amount of Rs. 10,50,000/- has already been paid to respondent no.2. As per the decree of divorce, the custody of the minor child will be with the respondent no. 2/wife and the petitioner no. 1/husband will have no visitation rights.

8. The petitioners appear in person before the Court today and the complainant/respondent no. 2 has appeared through Video Conferencing and the parties have been duly identified by their respective counsel, as well as the Investigating Officer, SI Vinay, PS Keshav Puram.

9. The matter was also placed before the learned Joint Registrar who has recorded the statement of respondent no. 2/complainant on 07.05.2025 which reads as under: -

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“1. I am the Respondent no. 2 in the present matter. The matrimonial dispute between me and all the petitioners has been amicably settled as per mediation settlement deed dated 07.12.2024 which is on record bearing my signatures. The Settlement is at Annexure P-2 from page 43 onwards.

2. Pursuant to the settlement, today I have received a demand draft bearing no. 822491 dated 07.05.2025 for a sum of Rs. 3,50,000/- drawn on UCO Bank, outside the Court today. Subject to realization of this demand draft, I will receive the entire payment of Rs. 10,50,000/- as per settlement and nothing else will remain due. This amount is towards my entire maintenance and articles and stridhan and I shall not claim anything in this regard in future. This amount is also towards maintenance of the minor child who shall be in my custody without any visitation rights to the petitioner or to any of his family members. However, settlement is without prejudice to the interest of minor child.

3. I undertake to abide by all terms of the settlement.

4. I have already been granted divorce from petitioner no. 1 in HMA No. 418/2025. The decree sheet is on record as Annexure P-4 at page 60 onwards.

5. I do not wish to pursue the present FIR bearing no. 225/2024, under Section 498-A/406/34, registered at P.S. Keshav Puram, Delhi therefore, the same be quashed along with all proceedings emanating there from. I have no objection if the said FIR is quashed.

6. My no objection affidavit is on record at page no. 22 onwards of the petition bearing my signatures. I undertake not to institute any other civil or criminal proceedings against the petitioners relating to fact and circumstances for which the abovesaid FIR was registered.

7. There is no case pending between the parties. I undertake to withdraw any other case if any.

8. I shall be bound by my statement as stated above.”

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

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also has no objection if the present FIR is quashed.

12. In **Gian Singh v. State of Punjab (2012) 10 SCC 303**, the 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 present and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of competent jurisdiction.

14. In the interest of justice, the petition is allowed, and the FIR No. 225/2024, under Sections 498A/406/34 IPC, registered at P.S. Keshav Puram, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajouria, Ld. JMFC, Mahila Courts- 02, North West Dist., Rohini 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 her 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 communicated to the concerned learned Trial

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Court for necessary information and compliance.

AMIT SHARMA, J

MAY 14, 2025/kr/SC

Click here to check corrigendum, if any

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