



2025:DHC:4733



\$~75

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of decision:21.05.2025**+ **CRL.M.C. 3246/2025, CRL.M.A. 14299/2025****B. GANESH**

.....Petitioner

Through: **Mr. Roshan Lal Saini & Ms.
Kavita Saini, Advs.**

versus

STATE NCT OF DELHI & ANR.RespondentsThrough: **Mr. Satish Kumar, APP for
State.****SI Sanjay Kumar PS Mehrauli.
Mr. Abhishek Ranjan, Adv. for
R-2.****CORAM:****HON'BLE MS. JUSTICE SHALINDER KAUR****SHALINDER KAUR, J (ORAL)**

1. 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.156/2015 dated 16.01.2015 for offences under Sections 498A/406/34, registered at Police Station Mehrauli ("subject FIR") and all consequential proceedings arising therefrom.

2. The learned counsel for the petitioners submits that the petitioner is the husband of respondent no. 2 and their marriage was solemnized on 19.02.2006, as per the Hindu rites and ceremonies. A baby girl child, namely, Tiana, was born out of the said wedlock. Subsequent thereto, he submits, the temperamental differences developed between the petitioners and respondent no. 2, coupled with



2025:DHC:4733



the raising demands for dowry, led to the registration of the subject FIR and filing of litigation by the respondent no. 2.

3. The learned counsel further submits that during the pendency of the litigation between the parties, they were referred to the Counselling Cell, Saket Courts. That the parties 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 July, 2014.

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 09.12.2023 has been duly executed between the petitioner no. 1 and the respondent No. 2 before the Counselling Cell, the learned Principal Judge (South), Family Courts, Saket, New Delhi. It is further submitted that, in terms of the said Settlement Deed, respondent No. 2 received all her ornaments and documents with respect to all her claims and that she has forgone her right as to the maintenance (past, present and future) and the permanent alimony. She has also undertaken to withdraw all proceedings presently pending before various judicial fora. In terms of the said settlement, it is further agreed that the minor daughter, namely, Tiana, shall remain in care and custody of respondent no.2 and the dispute pertaining to the custody of the girl child would be decided as per law.

5. Subsequent thereto, the marriage between the parties was



2025:DHC:4733



dissolved by a decree of divorce by mutual consent dated 17.03.2025 passed by the learned Judge Family Courts, South East District, Saket, New Delhi. The Settlement Deed dated 09.12.2023 outlining the terms of settlement has been placed on record.

6. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 08.05.2025 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 entered the said settlement out of her own volition and she has forgone all her rights to any alimony or maintenance, whatsoever. She further stated that the girl child will stay in her care and custody and that she has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed.

7. 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.

8. The respondent no. 2, who is present in court, upon being queried, confirms that she entered into the said Settlement Deed 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. Furthermore, the marriage between the parties was dissolved by a decree of divorce by mutual consent dated 17.03.2025 and she is living separately from the petitioner no.1. She states that no further litigation stand pending between the parties and has no objection if the subject FIR is quashed.



2025:DHC:4733



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

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

11. 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.

12. In conspectus of the above facts and the Settlement Deed dated 09.12.2023, the subject FIR No.156/2015 dated 16.01.2015 for offences under Sections 498A/406/34, registered at Police Station Mehrauli and all consequential proceedings emanating therefrom, are hereby quashed.

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

SHALINDER KAUR, J

MAY 21, 2025/ab/kp

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