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

+ **CRL.M.C. 3293/2025**

SANDEEP KUMAR & ORS.

.....Petitioners

Through: Mr. Amit Gautam, Advocate along
with petitioner no. 1 in person.
Petitioner nos. 2 to 4 (through Vc).

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Pradeep Gahalot, APP for the
State.
ASI Ramodh Singh, P.S. Nihal Vihar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **20.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 14479/2025 (exemption)

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

CRL.M.C. 3293/2025

3. The present petition under Section 528 of the BNSS seeks quashing of FIR No. 308/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Nihal Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Akansha Gautam, learned Judicial Magistrate-First Class, West District, Tis Hazari Courts, Delhi.

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

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no.2/wife was solemnized on 12.12.2018 as per Hindu rites and ceremonies one male child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, they started residing separately from 15.12.2019. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law), petitioner no. 3 (mother-in-law) and petitioner no. 4 (brother-in-law).

6. On 12.12.2024, parties have arrived at a settlement before Delhi Mediation Centre, Tis Hazari Courts, Delhi and as per the said settlement, petitioner no.1 has agreed to pay an amount of Rs. 3,00,000/- 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 25.04.2025, passed by the learned Principal Judge, Family Courts, West, Tis Hazari Courts, Delhi. As per the said settlement, custody of the minor child will be with the respondent no. 2 and she will be the sole guardian of the child.

8. Petitioner no. 1, complainant/respondent no. 2 are present before the Court and petitioner nos. 2 to 4 appears through video conferencing and have been duly identified by the Investigating Officer, ASI Ramodh Singh, P.S. Nihal Vihar.

9. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 09.05.2025:

“1. The present non contentious petition has been filed by the

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petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 308/2022 Under Sections 498A/406/34 of the Indian Penal Code registered at P.S. Nihal Vihar on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. P-2 to 4 are present in Court through virtual mode and stated that matter has been amicably settled.

3. Vide separate statement recorded in this behalf, P-1 stated that dispute between petitioners and R-2 has been amicably settled as per the settlement deed dated 12.12.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. Petitioners have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioners has been amicably settled as per the settlement deed dated 12.12.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 20.05.2025.”

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

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have been complied with. The parties have undertaken to abide by their reciprocal obligations as agreed in the settlement deed dated 12.12.2024

11. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

12. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, 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 FIR No. 308/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Nihal Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Akansha Gautam, learned Judicial Magistrate-First Class, West District, Tis Hazari Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 308/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Nihal Vihar, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Akansha Gautam, learned Judicial Magistrate-First Class, West District, Tis Hazari Courts,

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Delhi, is hereby quashed.

15. It is, however, directed that this order shall not come in the way of the minor child in claiming his 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.

AMIT SHARMA, J

MAY 20, 2025/bsr

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

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