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

+ **W.P.(CRL) 1577/2025**

TARUN SHARMA AND ORS

.....Petitioners

Through: Ms. Mahima, Advocate alongwith
petitioners in person.

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) for the State with Mr.
Abhinav Kr. Arya and Mr. Aryan
Sachdeva, Advocates.
SI Jyoti Antil and ASI Pushpa Rani,
PS Najafgarh.
Ms. Neha, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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21.05.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 14723/2025 (Exemption)

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

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3. The present petition filed under Article 226 of the Constitution of India read with Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 280/2023, under Sections 498A/406/328/34 of the IPC, registered at P.S. Najafgarh and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned Metropolitan Magistrate, Dwarka Courts, Delhi.

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



no.2/wife was solemnized on 30.03.2023 as per Hindu rites and ceremonies.

5. No child was born out of the said wedlock.

6. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately. Subsequently, respondent no.2/complainant registered an FIR against petitioner no.1 (husband), petitioner no. 2 (mother-in-law), petitioner no. 3 (brother-in-law) and petitioner no. 4 (sister-in-law).

7. *Vide* settlement deeds dated 28.07.2023 and 23.04.2025, parties have arrived at a settlement. The copy of the aforesaid settlement deeds has been placed on record as Annexure P-3 & P-4.

8. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 20.03.2025, passed by Anil Kumar, Judge, Family Court-01 (South-West), Dwarka Courts, Delhi (Annexure P-5).

9. The present petition was listed before the learned Joint Registrar on 13.05.2025, wherein it has been recorded as under:-

- “1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 280/2023 Under Sections 498A/406/328/34 of the Indian Penal Code registered at P.S. NAJAFGARH 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.
3. *Vide* separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deeds dated 28.07.2023 and 23.04.2025. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They 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 deeds dated 28.07.2023 and 23.04.2025. 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 21.05.2025.”

10. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer SI Jyoti Antil, Najafgarh.

11. 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. She further states that all the terms of the agreement have been complied with.

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

13. 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 proceeding.”

14. 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. 280/2023, under Sections 498A/406/328/34 of the IPC, registered at P.S. Najafgarh and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned Metropolitan Magistrate, Dwarka Courts, Delhi.

15. In the interest of justice, the petition is allowed, and the FIR No. 280/2023, under Sections 498A/406/328/34 of the IPC, registered at P.S. Najafgarh and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Apoorva Rana, learned Metropolitan Magistrate, Dwarka Courts, Delhi, is hereby quashed.

16. Petition is allowed and disposed of accordingly.

17. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 21, 2025/sn

Click here to check corrigendum, if any