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

% *Date of decision: 23.05.2025*

+ **CRL.M.C. 3336/2025 & CRL.M.A. 14690/2025 EXEMPTION
FROM FILING CERTIFIED COPIES**

ROHIT JAKHWAL AND ORS.Petitioners

Through: Mr. Hunny Singh & Mr. Ankit
Parindiyal, Advs. along with
petitioners in person

versus

THE STATE OF NCT OF DELHI AND ANR. ...Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Prashant Malik, PS Laxmi
Nagar
Mr. Sehdev Rana, Adv. for R-2
along with R-2 in person

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR NO. 431/2019 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. Laxmi Nagar, and all proceedings arising therefrom pursuant to a settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 11.05.2015 as per Hindu rites and ceremonies at Ghaziabad, UP. One daughter was born out of the said wedlock. It is submitted that due to temperamental differences, both the parties started living separately



since 07.08.2017. Pursuant to which on 15.12.2019, the aforesaid FIR was registered against the petitioners.

3. During the pendency of the proceedings, the parties amicably resolved their disputes vide **compromise/MOU dated 11.01.2025**. As per the settlement the petitioner no. 1 agreed to pay a sum of Rs. 34,70,000/- to respondent no. 2 and her daughter, Maanika as full and final settlement amount with respect to respondent no. 2 and her daughter which includes all their claims, maintenance, permanent alimony, rights on movable and immovable assets, stridhan, articles, etc. It has been submitted that out of the said amount, Rs. 20,70,000/- has already been paid to respondent no. 2. It is submitted that the balance amount of Rs. 14 lacs shall be paid in instalments of Rs. 1 lac every year for the next 14 years in the name of the child for which respondent no. 2 has provided account details to the petitioner today in Court. It is further stated that in terms of the settlement, the parties have obtained divorce by mutual settlement. The MOU/Compromise deed has been placed on record as **Annexure P3**.

4. Both the parties were presented before the JR on 13.05.2025, for recording their statements, which reads as follows;

“13.05.2025

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanita, 2023 for quashing of the FIR NO. 431/2019 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. LAXMI NAGAR 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 deed dated 11.01.2025. 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 deed dated 11.01.2025. 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 23.05.2025."*

5. Petitioner no. 1 to 3 are physically present before the Court while petitioner no. 4 & 5 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Prashant Malik from PS Laxmi Nagar.

6. Respondent No. 2 accepts the terms and conditions of settlement deed dated 11.01.2025 and confirms that she has received Rs. 20,70,000/- and further submits that the matter has been amicably settled with the Petitioners without any force, fear, or coercion. She has no objection if **FIR NO. 431/2019 Under Sections 498-A/406/34 of the Indian Penal Code**



registered at P.S. LAXMI NAGAR along with all pending proceedings arising therefrom, is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the **FIR NO. 431/2019 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. LAXMI NAGAR** alongwith pending proceeding is quashed.

8. In *Gian Singh vs 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."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present **FIR NO. 431/2019 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. LAXMI NAGAR** and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and **FIR NO. 431/2019 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. LAXMI NAGAR**, along with all the other consequential proceeding emanating therefrom is hereby quashed.



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11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

MAY 23, 2025/na