



2025:DHC:4641



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

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Date of decision: 29.05.2025

+ CRL.M.C. 3415/2025 & CRL.M.A. 15068/2025 (exemption from filing certified copies)

PRASHANT SOBTI & ANR.

.....Petitioners

Through: Mr. M. K. Sorja and Ms. Komal Verma, advs. along with petitioners in person.

Advocates.

versus

THE STATE GOVT. OF NOT OF DELHI & ANR.

... Respondents

Through: Mr. Hitesh Vali, APP for the State with SI Abhishek Rana, W/SI Aarti (Main IO), PS-Dwarka South.
R-2 through VC.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0576/2020, dated 18.12.2020, registered at P.S Dwarka South under sections



498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 07.12.2008 as per Hindu rites and ceremonies at Delhi. One child namely Avyukt was born on 02.09.2010 out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 2017. Thereafter, Respondent No.2 filed a maintenance petition under section 125 Cr.P.C., a divorce petition under section 13 (1) (ia) of the Hindu Marriage Act, 1955 and also lodged the aforesaid FIR against Petitioners. The charge sheet was filed under sections 498A/406/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a MoU/Settlement Deed dated 20.07.2024. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court, Dwarka Courts allowed the mutual divorce petition on 21.01.2025, thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of Rs. 18,00,000/- (Rupees eighteen lacs) by the Petitioner No.1 as full and final settlement to the Respondent No.2 as per the schedule mentioned



in the Settlement Deed. The copy of MoU/Settlement Deed dated 20.07.2024 has been placed on record as Annexure P-4.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“26.05.2025

Today, statements of respondent no. 2 & petitioner no. 1 have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 & petitioner no. 1 have been identified by their counsels & IO.

Let this pre-verified statement along with this order be placed before the Hon'ble Court on **29th May, 2025**.

5. Petitioner no.1 & 2 are physically present before the Court with counsel while respondent no.2 has entered their appearance through VC with counsel and they have been identified by their respective counsels as well as by the Investigating Officer SI Abhishek Rana, W/SI Aarti (Main IO), PS-Dwarka South.

6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 18,00,000/- (Rupees eighteen lacs) from the Petitioner No.1 as per the schedule mentioned in the Settlement Deed. She further submits that she has no objection if the FIR No. 0576/2020 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 present FIR No. 0576/2020 alongwith charge sheet 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. 0576/2020, dated 18.12.2020, registered at P.S Dwarka South under sections 498A/406/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0576/2020, dated 18.12.2020, registered at P.S Dwarka South under sections 498A/406/34 IPC alongwith charge sheet and 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 29, 2025/AK

