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

+ **CRL.M.C. 3476/2025**

**SHRI SUNNY DAHIYA AND ORS**

.....Petitioner

Through: Mr. Lalit, Advocate with P-1 in person and P-2 and P-3 through V.C.

versus

**THE STATE (NCT OF DELHI) AND ANR**

.....Respondent

Through: Mr. Shoaib Haider, APP for the State with SI Jyoti Antil P.S. Najafgarh.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

**28.05.2025**

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1. The present Petition under Section 528 BNSS has been filed on behalf of the petitioners seeking to quash the FIR No. 295/2019 registered under Sections 498A/406/377/354/354A of the Indian Penal Code, 1860 at Police Station Najafgarh.

2. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 15.07.2018 according to Hindu rites and ceremonies. It is stated that no child was born out of the wedlock. Petitioner No.1 and Respondent No.2 could not adjust with each other and started residing separately since 2019.



3. It is further submitted that on the complaint of respondent No. 2, an FIR bearing No.295/2019 under Sections 498A/406/377/354/354A of the Indian Penal Code, 1860 got registered at Police Station Najafgarh.

4. It is stated that with the intervention of family and relatives, the parties agreed to settle their dispute vide Settlement dated 21.11.2024, and it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No. 1/husband shall pay a sum of Rs.7,00,000/- along with the jewelery to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife. It is also stated that the petitioner No. 1 has already paid Rs.5,50,000 to respondent No. 2/wife in two installments viz., Rs. 3,00,000/- was paid at the time of recording of statements in First Motion Petition under Section 13(b) of the Hindu Marriage Act, 1955 and another Rs.2,50,000/- was paid at the time of recording of statements in Second Motion Petition under Section 13(b)(2) of the Hindu Marriage Act, 1955.

5. It is further stated that the remaining third installment of Rs. 1,50,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 295/2019.

6. It is also stated that on 19.03.2025, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

7. In view of the Compromise Deed dated 21.11.2024, the present petition has been filed.



8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. The third installment of Rs.2,50,000/- and the entire jewellery has already been paid to the respondent No. 2/wife by the petitioner No. 1, and the same has been confirmed by the respondent No. 2/wife.

10. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 21.11.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Compromise Deed dated 21.11.2024 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

12. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

13. The Respondent No.2/Complainant was being harassed for dowry and was subjected to torture by her husband and her in-laws. She has also made specific allegations that her husband had forced unnatural sex upon her on the instigation of her father-in-law in the year 2018.



14. In the Chargesheet prima facie offence under Section 354/354A IPC have been added on the allegations that the Complainant was caught from her back by her father-in-law and also threatened her by wielding a pistol.

15. On specific query, the Complainant has submitted that this Complaint has been written by herself and the averments made in the Complaint are correct by the very nature of the allegation made in the Complaint and the Chargesheet filed it is evident that Section 377/354/354A IPC have merely been added in the Complaint only to ensure that no Bail is granted to the Petitioners. However, considering the larger interest, whereby the matter has been amicably settled and the Petitioners/In-laws cannot be made to suffer by the ongoing trial, the abovementioned FIR No. 295/2019 registered under Sections 498A/406/377/354/354A of the Indian Penal Code, 1860 at Police Station Najafgarh and the proceedings pursuant thereto, are quashed.

16. The Respondent No.2/Complainant is directed to deposit Rs.20,000/- as cost in the Delhi High Court Advocates' Welfare Trust, within seven days.

17. In case the cost is not deposited by the Respondent No.2 within seven days, the matter be placed before the learned Registrar General for recovery of cost.

18. The petition stands disposed of.

**NEENA BANSAL KRISHNA, J**

**MAY 28, 2025/va**