



2025:DHC:4549



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

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Date of decision: 28.05.2025

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CRL.M.C. 3490/2025

SUMIT CHOPRA & ORS.

.....Petitioners

Through:

P-1 in person with Mr. Manish Kumar, Mr. Gourav Bansal & Ms. Garima Anand, Adv.

P-2 to P-4 through VC

versus

STATE (NCT OF DELHI) & ANR.

... Respondents

Through:

Mr. Hitesh Vali, APP for the State with SI Mohit Kumar, PS Tilak Nagar

R-2 in person with Mr. Abul Hasan Khan, Adv.

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. 0881/2020, dated 26.12.2020, registered at P.S Tilak Nagar 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 19.04.2018 as per Hindu rites and ceremonies at



Delhi. A girl child namely Radhya was born on 25.07.2020 out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 03.02.2020. Thereafter, Respondent No.2 filed the following cases against the petitioners:

- i. a petition under section 12 of the DV Act
- ii. a maintenance petition under section 125 Cr.P.C.
- iii. an execution petition bearing No. 183/2021
- iv. Criminal Appeal bearing No. 243/2023
- v. Contempt petition bearing Cont. Case (C) No. 1430/2023
- vi. FIR against Petitioner No. 1 and his family members.

Petitioner No.1 filed a Guardianship Petition bearing No. 81/2023 against the Respondent No.2. The charge sheet was filed under sections 498A/406/377/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a MoU/Settlement Deed dated 04.05.2024. 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, Tis Hazari Court allowed the mutual divorce petition on 25.10.2024, 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 18,00,000/- (Rupees eighteen lacs) as per the



schedule mentioned in the Settlement Deed. The copy of MoU/Settlement Deed dated 04.05.2024 has been placed on record as Annexure P-2.

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

“19.05.2025

Today, statement of respondent no. 2 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 respective counsel & IO.

Let this pre-verified statement along with this order be placed before the Hon'ble Court on **28th May, 2025**.

5. Petitioner No. 1 and respondent No. 2 are physically present before the Court with counsel for petitioner while petitioners No. 2 to 4 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Mohit Kumar, PS Tilak Nagar.

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 MoU/Settlement Deed dated 04.05.2024. She further



submits that she has no objection if the FIR No. 0881/2020 alongwith charge sheet 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. 0881/2020 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. 0881/2020, dated 26.12.2020, registered at P.S Tilak Nagar under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0881/2020, dated 26.12.2020, registered at P.S Tilak Nagar under sections 498A/406/34 IPC along with the charge sheet and all the



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other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

MAY 28, 2025/AK