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

+ **CRL.M.C. 3631/2025**

SANJAY GAMBHIR & ORS.

.....Petitioners

Through: Mr. Kunal Aggarwal, Adv. with
petitioner no.1 in person.
Petitioner no.2 to 7 through VC.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
SI Seema, P.S. Dwarka South & WSI
Jyoti, Dwarka Sector-23.
Mr. Syed Hasan Isfahani Advocate for
Respondent No.2 (through VC).
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **30.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 15942/2025 (exemption)

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

CRL.M.C. 3631/2025

3. The present petition under Section 528 of the BNSS seeks quashing of FIR No. 152/2019 under Sections 498A/406 of the IPC, registered at P.S. Dwarka South and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Surbhi, learned Judicial Magistrate First Class, South-West, Dwarka Courts, Delhi.

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



no.2/wife was solemnized on 27.04.2008 as per Hindu Rites and Customs and no child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately since February, 2018. Subsequently, respondent no.2/complainant lodged an FIR against petitioners.

6. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2 *vide* Settlement dated 12.08.2024 before the Delhi High Court Mediation and Conciliation Centre, New Delhi and in pursuance of which respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed. as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 27,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future.

7. Petitioner no.1 and complainant/respondent no. 2 are present before the Court and petitioner no.2 to 7 are present through VC before the Court and have been duly identified by the Investigating Officer, SI Seema, P.S. Dwarka South.

8. 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 against the petitioners. She further states that all the terms of the settlement have been complied with.

9. A Demand Draft bearing no. 309215 dated 26.05.2025 for Rs. 4,00,000/- drawn on Union Bank, Rajdhani Enclave, Delhi has been handed over to the Complainant/Respondent No.2, who acknowledges the receipt of the same.



10. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 22.05.2025:

“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. 152/2019 Under Sections 498A/406 of the Indian Penal Code registered at P.S. DWARKA SOUTH 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, P-1 and 3 stated that dispute between petitioners and R-2 has been amicably settled as per the settlement deed dated 12.08.2024. 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 12.08.2024. 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 30.05.2025.

11. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

12. In *Gian Singh vs. 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.”

13. 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. 152/2019 under Sections 498A/406 of the IPC, registered at P.S. Dwarka South and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Surbhi, learned Judicial Magistrate First Class, South-West, Dwarka Courts, Delhi

14. In the interest of justice, the petition is allowed, and the FIR No. 447/2020 under Sections 498A/406/34 of the IPC, registered at P.S. Dwarka South and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Surbhi, learned Judicial



Magistrate First Class, South-West, Dwarka Courts, Delhi are hereby quashed.

15. Petition is allowed and disposed of accordingly.

16. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MAY 30, 2025/nk/pr

[Click here to check corrigendum, if any](#)