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

+ CRL.M.C. 3641/2025 and CRL.M.A. 16015/2025

HARISH KUMAR SANDHU

.....Petitioner

Through: Mr. Surendra Chaudhary, Advocate
with petitioner in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Krishna, PS- Dwarka,
Sector – 23.
Dr. K.S. Bhati, Lt. Col. C.M. Upreti,
Ms. Hema Kumari, Mr. Anurag
Kumar and Ms. Kajal Soni,
Advocates for respondent no. 2 with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

18.09.2025

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1. Petitioner herein seeks quashing of FIR No. 121/2016 dated 13.04.2016 for the alleged offences punishable under Sections 498A and 406 IPC, registered at Police Station Sector 23, Dwarka, along with any consequential proceedings arising therefrom, on the basis of a compromise arrived between the parties.
2. Dispute between the parties arose from the matrimonial discord between Petitioner (husband) and complainant/Respondent no.2 (wife). The Petitioner and Respondent No. 2 were married on 02.12.2009 according to



Hindu rites. One male child is born from the wedlock. Due to irreconcilable differences, the parties started living separately from 14.08.2015.

3. Learned counsel for the petitioner submits that the parties have amicably settled their dispute *vide* Settlement Deed dated 03.08.2024 which is placed on record (Annexure-C). Learned counsel further submits that the affidavit to the effect of no objection to quashing deposited by respondent No.2/ complainant is also placed on record.

4. Both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise arrived between the parties and convey their no objection to the quashing of the FIR.

5. In the aforesaid backdrop, I have heard learned counsel for the petitioners and respondent no. 2 as well as perused the material available on record.

6. Parties are present in Court and I have interacted with the complainant/ wife. On a query put to the complainant/ wife, she candidly states that she has entered into the settlement out of her free volition, without any duress or coercion. She further states that she has no objection to the quashing of the FIR. She states that, pursuant to the settlement, their marriage also stands dissolved *vide* a decree dated 09.10.2020 passed by competent Family Court. As regards the other part of the compliance of the settlement, she states that the same has been complied with by her ex-husband to her full and final satisfaction.

7. Since the complainant/ wife does not wish to press charges against the petitioners and there is no incriminating material against them coupled with the fact of compromise, further proceedings before the Court would be an abuse of the process of law. Especially, when the dispute does not involve



any public interest or interest of the society at large. Continuation of proceedings may rather result in hostility between the parties and defeat the very purpose of settlement. Quashing the FIR would facilitate the parties in maintaining or restoring cordiality, especially co-parenting the minor child born out of the wedlock. The child's well-being would be better preserved in an environment where the parents are not embroiled in ongoing legal disputes.

8. In the interest of justice, and exercising the inherent powers vested in this Court under Section 528 of BNSS, it is therefore deemed appropriate to quash the FIR arising from this matrimonial dispute. Reference may be had to judgment rendered in *Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]* in this context.

9. However, I may like to make it clear that quashing of the FIR shall have no bearing on the inheritance rights of the minor qua his father.

10. Consequently, the instant petition is allowed. FIR No. 121/2016 dated 13.04.2016 under Sections 498A and 406, registered at Police Station Sector 23, Dwarka and the criminal proceedings arising there from are hereby quashed.

11. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

SEPTEMBER 18, 2025

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