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

+ **CRL.M.C. 3677/2025**

NIDHIN JOSE VADAYIL & ORS.

.....Petitioners

Through: Mr. Akash Verma and Mr. Neeraj
Mandal, Advs. through Spa Holder of
petitioner no. 1.
Along with Petitioners no. 1, 3 and 4,
through VC.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
ASI Virender Kumar, PS Sun Light
Colony.
Mr. Yuvraj Singh, Ms. Vishnavi
Mittal, Advs. for R-2. Along with R-2
and SPA holder of R-2, Through VC

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

30.05.2025

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1. This hearing has been done through hybrid mode.
2. The present petition filed under Section 528 of the BNSS read with Section 482 of the CrPC seeks quashing of the FIR No. 316/2017, under Sections 498A/406/506/34 of the IPC, registered at P.S. Sunlight Colony, Delhi.
3. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 05.10.2015 as per Christian rites and ceremonies and no child was born out of the said wedlock.



4. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 06.02.2016. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband) and petitioner no. 2 (father-in-law), petitioner no. 3 (mother-in-law), and petitioner no. 4 (sister-in-law). It is pointed out that Petitioner No. 2 has since expired and has been represented through his son, Petitioner No.1

5. On 31.08.2024, petitioner no. 1 and respondent no.2 have arrived at a Memorandum of Settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 5,00,000/- along with the articles belonging to respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future. The copy of the aforesaid settlement deed dated 31.08.2024 has been placed on record as Annexure –P-5.

6. In terms of the said settlement, the marriage between the petitioner no.1 and respondent no.2 stands dissolved by a decree of divorce dated 19.02.2025, passed by Mr. Mr. Kuldeep Narayan, Judge, Family Court-02, South-East, Saket Court (Annexure –P-6).

7. The matter was also placed before the learned Joint Registrar who has recorded the statements of respondent no. 2 as well as her SPA and passed the following order on 28.05.2025: -

“Today, statement of SPA holder of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement. SPA holder is stated to be real brother of respondent no. 2. He has also entered into settlement with petitioner on behalf of respondent no. 2 on the strength of his SPA.

SPA holder of respondent no. 2 has been identified by his learned counsel. Respondent no. 2 is appearing through VC. Although this is a matrimonial case between the parties and it stands between the parties; however, during the course of proceedings it came to light through 10 of the case that the petitioner no. 1 is declared an absconder in this case.



Accordingly, this matter is "**Red Flagged**".

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 30th May, 2025."

8. Petitioner Nos. 1, 3 and 4 appeared in person through video conferencing, SPAs of Petitioner no. 1 and respondent no. 2 appeared in person and complainant/respondent no. 2 has appeared in person through video conferencing before the Court and have been duly identified by their respective counsels, as well as the Investigating Officer, ASI Virender Kumar, PS Sunlight Colony.

9. Complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

10. Learned APP for the State submits that the investigation in the present FIR is pending and chargesheet is yet to be filed, however, in view of the settlement between the parties, he has no objection if the present FIR is quashed.

11. In *Gian Singh v. 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."

12. 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. 316/2017, under Sections 498A/406/506/34 of the IPC, registered at P.S. Sunlight Colony, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 316/2017, under Sections 498A/406/506/34 of the IPC, registered at P.S. Sunlight Colony, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 30, 2025/kr

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