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

+ **W.P.(CRL) 1734/2025&CRL.M.A. 16163/2025**

NISHANT RAJ AND ORS.

.....Petitioners

Through: Mr. Yogesh Aggarwal, Advocate
along with petitioner no. 1 in person.
Petitioner nos. 2 and 3 in person
(through Vc).

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Ms. Priyam
Agarwal, Mr. Abhinav Kr. Arya and
Mr. Aryan Sachdeva, Advocates.
SI Pushpendra Singh, P.S. Jagatpuri.
R-2 in person.

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 under Article 226 of the Constitution of India read with Section 528 of the BNSS seeks quashing of FIR No. 392/2024, under Sections 498A/406/34 of the IPC, registered at P.S. Jagatpuri.
3. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 27.11.2004 as per Hindu Rites and Customs and two children were 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 August 2022. Subsequently, respondent no.2/complainant lodged an FIR against the petitioner No.1



(husband), petitioner no.2 (mother-in-law) and petitioner no.3 (father-in-law).

5. On 03.12.2024, parties arrived at a settlement before Counseling Cell, Family Court, East District, Karkardooma Courts, Delhi and as per the said settlement, petitioner no.1 has agreed to pay an amount of Rs. 33,50,000/- 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.

6. In view of the said settlement, the marriage between the petitioner no.1 and respondent no.2 stands dissolved by a decree of divorce dated 17.03.2025, passed by learned Judge, Family Court, Shahdara District Karkardooma Courts, Delhi. As per the said settlement, custody of the children will be with the respondent no. 2 and the petitioner no. 1 will have visitation rights as per their mutual consent.

7. Petitioner no. 1, complainant/respondent no. 2 are present before the Court and petitioner Nos. 2 and 3 appear through video conferencing and have been duly identified by the Investigating Officer, SI Pushpendra Singh, P.S. Jagatpuri.

8. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 23.05.2025:

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. 392/2024 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. Jagat Puri 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. P-2 and 3 are appearing through virtual mode. Vide separate submission they stated that matter has been amicably settled with R-2.



3. Vide separate statement recorded in this behalf, P-1 stated that dispute between petitioners and R-2 has been amicably settled as per the settlement deed dated 03.12.2024. 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 03.12.2024. 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.

9. 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. The parties have also undertaken to abide by their reciprocal obligations as agreed in the aforesaid settlement.

10. Learned ASC (Crl.) for the State submits that 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, 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.”

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. 392/2024, under Sections 498A/406/34 of the IPC, registered at P.S. Jagatpuri.

13. In the interest of justice, the petition is allowed, and the FIR No. 392/2024, under Sections 498A/406/34 of the IPC, registered at P.S. Jagatpuri, 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/bsr

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