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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3717/2025**

JAI PRAKASH

.....Petitioner

Through: Mr.Rajesh Kumar and Mr.Sanjay
Jain, Advocates with petitioner in
person.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Suresh Kumar Meena, PS
New Usmanpur
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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09.09.2025

1. The petitioner seeks quashing of an FIR No. 1238/2014 dated 29.11.2014 under Sections 323/506/376/34 IPC registered at Police Station New Usman Pur, on the ground of settlement dated 21.08.2024 between the parties before the Principal Counsellor, North East District, Karkardooma Courts..
2. Dispute arose out of a matrimonial acrimony between the petitioner (husband) and respondent No.1 (wife). However, no child is born from the wedlock. The marriage between the petitioner and respondent No.2 (wife) took place on 11.07.2008. The parties started residing separately since 08.08.2011, although in the same house. The respondent No.2 alleged in the



FIR that the petitioner forcefully had physical relations with her, thus Section 376 was invoked in the FIR.

2.1 It is submitted that as per the settlement between the parties, with the intervention of the family and respectable members of the society, the petitioner and the Respondent No.2 shall now relocate and live at new address, i.e., A-2/561, Gali No. 6, South Gamri, Delhi-110053.

3. The parties are present in Court, and I have interacted with them. Upon a query posed to the respondent No.2, she states that she has arrived at the settlement of her own volition without any duress, pressure or coercion from any quarters. Qua the allegations made by her attracting Section 376 of the IPC, she submits that she did not realize the harsh consequences while leveling the allegations at the relevant time as she was not much aware about the criminal law. She submits that after reconciliation between the two of them She is enjoying matrimonial bliss. She does not want to disturb the peace and harmony which she has so hard tried to strive. Thus, she does not oppose the prayer made by the petitioner seeking 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. Since respondent no. 2 does not wish to press charges against the petitioners and in the absence of any incriminating material against them, coupled with the fact that the parties have amicably compromised the matter, the proceedings would amount to an abuse of the process of law.

7. The dispute, being private and personal in nature arising out of their matrimonial relationship, has since been amicably resolved, and the complainant herself does not wish to pursue the case. In these



circumstances, pursuing the criminal case would serve no useful purpose, would unnecessarily burden the judicial system, and may even rekindle hostility between the parties, thereby defeating the very object of the settlement, whereas quashing the same would, however, foster peace and harmony between them.

8. Thus, in the larger interest of justice, and in exercise of the inherent powers vested in this Court, it is deemed expedient to quash the FIR in question arising out of matrimonial dispute between the private parties. Reference may also be made to the judgment of the Supreme Court in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

9. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 1238/2014 dated 29.11.2014 under Sections 323/506/376/34 IPC registered at Police Station New Usman Pur, along with all consequential proceedings arising therefrom, are hereby quashed.

ARUN MONGA, J

SEPTEMBER 9, 2025/SV