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

+ **CRL.M.C. 3924/2025**

PAWAN @ ANISH & ANR.

.....Petitioners

Through: Mr. Sumit Gaba Adv., Mr. Akash
Adv. with Petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr.Digam Singh Dagar, APP for
State with SI Ashok Singh Chauhan,
PS Nihal Vihar.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **24.09.2025**

Crl.M.A. No. 17159/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

Crl.M.C. No. 3924/2025

1. Petitioners herein seek quashing of an FIR No.79/2024 dated 12.01.2024 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Nihal Vihar, along with any consequential proceedings arising therefrom, on the basis of a compromise.
2. Dispute arose from matrimonial discord between petitioner no.1 (husband) and respondent no.2/ complainant (wife). The couple got married on 06.02.2022 as per Hindu rites and no child is born from the wedlock.



However, the couple have been living separately since 25.12.2022. Petitioner no.2 is the mother of petitioner no.1.

3. Learned counsel for the petitioners submits that the parties have now amicably settled the *vide* MoU/ Settlement Deed dated 16.12.2024 and an affidavit to the effect of no objection, duly deposed by respondent no.2, has also been placed on record.

3.1 He further submits that pursuant to the settlement, marriage between the petitioner no.1 and respondent no.2 has already been dissolved by a decree of divorce dated 04.04.2025.

3.2 Learned counsel also submits that, keeping in view that the parties have amicably settled their disputes and differences arising from their matrimonial relationship, further continuation of proceedings would be a futile exercise.

4. Learned counsel for respondent no.2 and APP for the State concur with the factum of compromise and submit that, in view of the settlement, the proceedings deserve to be quashed.

5. In the aforesaid backdrop, I have heard learned counsel for the parties as well as perused the material available on record.

6. The parties are present in the Court, and I have interacted with them. Upon a query put to respondent no.2, she candidly submits that she has amicably resolved her differences with her husband and has entered into the settlement out of her own free will, without any pressure, coercion, or undue influence. She further states that pursuant to the settlement, she does not wish to continue with the proceedings against the petitioners as no dispute and grievance remains unresolved with the petitioners.

7. Having heard, it appears that the dispute was purely a family matter



with no involvement of public or societal interest. Since the complainant (wife) does not wish to press charges and there is no incriminating evidence against the petitioners, coupled with the fact that a compromise has been reached, continuing with the criminal proceedings would be an exercise in futility, amounting to an abuse of the legal process.

8. The genuineness of the compromise is not in dispute. However, since the Trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. Given that the dispute has been resolved amicably, continuing with criminal proceedings would thus serve no useful purpose and would rather defeat the very purpose of the settlement and be a drain on judicial resources.

9. In the premise, this is a fit case for invoking inherent powers vested with this Court under Section 528 of BNSS, and it is thus deemed expedient to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of *Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]*.

10. Accordingly, the FIR No.79/2024 dated 12.01.2024 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Nihal Vihar, and all other proceedings arising therefrom are hereby quashed.

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

ARUN MONGA, J

SEPTEMBER 24, 2025/SV