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

+ CRL.M.C. 4014/2025, CRL.M.A. 17469/2025 & CRL.M.A.
17470/2025

PUNEET GAUTAM & ORS.

.....Petitioners

Through: Mr. Umesh Kumar, Adv. alongwith
Petitioners in person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.

Ms. Sunita Jain, Adv alongwith
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

01.09.2025

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1. The petitioners herein seek quashing of an FIR No. 0210/2022 dated 16.06.2022 registered at Police Station I.P. Estate, for the offences punishable under Sections 498A/406/34 IPC, and all other consequential proceedings arising therefrom, on the basis of the compromise between the parties.

2. Petitioner No.1 and Respondent No.2 got married on 02.07.2017 as per Hindu rites and customs and ceremonies. However, due to differences and disputes they started residing separately since 25.09.2020. One child is born out of the wedlock, who is currently in the care and custody of Respondent No. 2.

2.1 On 16.06.2022, the present FIR got registered against the petitioners on the complaint of the respondent No.2. Petitioners no. 2-6 are the family



members of Petitioner no. 1.

2.2 During the pendency of the said petition, the parties settled the matter amicably by entering into a settlement *vide* settlement deed dated 27.04.2024.

3. In the aforesaid backdrop, I have heard the rival contentions and also interacted with the parties who are present in Court.

4. Learned counsel for the petitioners submits that the parties settled the matter amicably by entering into a settlement agreement/ MoU dated 27.04.2024 which is placed on record (**Annexure P-2**). He further submits that an affidavit of no objection to the quashing, deposited by respondent no. 2, has also been placed on record.

5. On a Court query put to the complainant, she candidly submits that she has arrived at mutual settlement on her own volition without any duress or coercion. She further states that pursuant to the settlement, the petitioner No.1-husband has complied with the terms of the settlement to her satisfaction and nothing remains payable to her. The complainant states that in view of the settlement, she does not wish to press any charges against the petitioners.

6. It transpires that during the pendency of the proceeding before this Court, pursuant to the said settlement, the parties have also taken a divorce decree dated 07.09.2024 by mutual consent from the competent Family Court.

7. Given that the dispute has been resolved amicably through a financial settlement and mutual consent divorce, continuing with criminal proceedings may serve no useful purpose and would be a drain on judicial resources and abuse of the process of law. Quashing the FIR would facilitate the parties in maintaining and 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. Taking a wholesome view and in order to let the parties entire mutual cordiality and the family bonhomie which will go long way to establish peace rather than promote hostility in case further proceedings continue, this is a fit case for invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 (erstwhile Section 482 Cr.P.C.), it is 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].

9. Accordingly, the instant petition is allowed and FIR No. 0210/2022 dated 16.06.2022 registered at Police Station I.P. Estate, for the offences punishable under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom are hereby quashed. However, quashing of FIR and/or settlement between the parties shall have no bearing on inheritance rights of the minor child.

10. The petition stands disposed of.

ARUN MONGA, J

SEPTEMBER 1, 2025/rs/nk