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

+ CRL.M.C. 4457/2025

SHUBHAM TIWARI AND OTHERS

.....Petitioners

Through: Mr.A.K.Tiwari, Advocate alongwith
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

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

SI Brij Mohan, PS Kotwali.

Ms. Sneha Upadhay and Mr. Kush
Malik, Advocates for R-2 alongwith
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **09.07.2025**

1. This hearing has been done through hybrid mode.
2. The present petition filed under Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 188/2019, under Sections 498A/406/34 of the IPC, registered at P.S. Kotwali and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Manya, learned JMFC, Mahila Court, Tis Hazari Courts, Delhi.
3. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 18.04.2018 as per Hindu rites and ceremonies.
4. No child was born out of the said wedlock.
5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 01.07.2018. Subsequently,



respondent no.2/complainant registered an FIR against the petitioners.

6. On 09.09.2024, parties arrived at a settlement before the Mediation Centre, Tis Hazari Courts and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 7,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *stridhan*, permanent alimony and maintenance - present, past and future. The copy of the aforesaid settlement deed dated 09.09.2024 is on record (Annexure B).

7. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 22.01.2025, passed by Ms. Nivedita Anil Sharma, Principal Judge, Family Court (Central), Tis Hazari Courts, Delhi (Annexure C). Further, as per the settlement deed, an amount of Rs. 5,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 2,00,000/- has been paid to her in court today, by means of a demand draft.

8. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Brij Mohan, PS Kotwali.

9. A demand draft bearing no. 332101 dated 22.04.2025 for Rs. 2,00,000/- drawn on Punjab & Sind Bank has been handed over to the complainant/Respondent No.2, who acknowledges the receipt of the same.

10. 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. She further states that all the terms of the agreement have been complied with.

11. Learned APP for the State submits that investigation in the present FIR is complete and chargesheet has been filed.

12. 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.”

13. 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. 188/2019, under Sections 498A/406/34 of the IPC, registered at P.S. Kotwali and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Manya, learned JMFC, Mahila Court, Tis Hazari Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 188/2019, under Sections 498A/406/34 of the IPC, registered at P.S. Kotwali and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Manya, learned JMFC, Mahila Court, Tis Hazari Courts, Delhi, is hereby quashed.

15. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

JULY 09, 2025/sn/yg