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

+ **CRL.M.C. 4772/2025**

AMIT KUMAR& ORS.

.....Petitioners

Through: Mr. Ratnesh Rajmurti, Adv. with
petitioners.

versus

THE STATE (GOVT OF NCT OF DELHI) AND ANR

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State with W/SI Dipika, PS Adarsh
Nagar.
R-2 in person with counsel.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **21.07.2025**

CRL.M.A. 20669/2025 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 4772/2025

1. Petitioners seek compromise quashing of an FIR No. 0248/2021 dated 15.05.2021 under Sections 498-A, 406, 354 and 34 IPC, registered at P.S. Adarsh Nagar, Delhi as well as quashing of proceedings arising there from.
2. The dispute between the private parties stems from marital discord between Petitioner No. 1 (the husband) and Respondent No. 2 (the wife). The couple was married on 12.05.2019, according to Hindu rites, and they



have one child, who is currently in the care and custody of Respondent No.

3. Due to irreconcilable differences, the parties have been living separately since 21.06.2020. Respondent No. 2 filed a complaint against all the Petitioners with the CAW Cell, North West which was registered as FIR No. 248/2021 dated 15.05.2021 under Sections 498-A, 406, 354 and 34 IPC on endorsement from CAW Cell, North West.

4. Learned counsel for the petitioners submits that the parties have reached an amicable settlement concerning their marital dispute. A settlement agreement for a sum of Rs. 12,00,000 was reached on 13.05.2024, as documented in the Settlement Deed (Annexure-C COLLY). Additionally, an affidavit confirming that Respondent No. 2 has no objection to the quashing of the FIR has been filed.

5. It has been further revealed that, in light of the amicable settlement, both parties decided to seek a divorce by mutual consent under Section 13-B(2) of the Hindu Marriage Act. They filed a petition for divorce, which was granted by the Family Court at Rohini, New Delhi, with a decree dated 27.01.2025.

6. In response to a Court query, both the counsel for Respondent No. 2 (the complainant) and the learned Public Prosecutor for the State confirmed that the compromise has been reached. They expressed no objection to the quashing of the FIR, given the resolution between the parties. Based on this compromise, there is thus no reason why the FIR should not be quashed, along with all consequential proceedings.

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 or 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. In the interest of justice, and exercising the inherent powers vested in this Court under Section 528 of BNSS, it is therefore deemed appropriate to quash the FIR arising from this matrimonial dispute. Reference may be had to judgment rendered in *Gian Singh v. State of Punjab & Anr.* [(2012) 10 SCC 303] in this context.

9. Consequently, the instant petition is allowed. FIR No. 0248/2021 dated 15.05.2021 under Sections 498-A, 406, 354 and 34 IPC, registered at P.S. Adarsh Nagar, Delhi and the criminal proceedings arising there from are hereby quashed.

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

ARUN MONGA, J

JULY 21, 2025

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