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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4844/2025 & CRL.M.A. 20973/2025 EXMP.**
MITTHAN LAL & ORS.

.....Petitioners

Through: Ms. Heena, Mr. Prince Sharma and
Mr. Anurag Singh, Advs. with all the
petitioners in person.

versus

THE STATE (GOVT NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Deepanshu, P.S. Harsh Vihar.
Mr. Sahil Sharma, Adv. for
respondent no. 2, along with R-2 in
person.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
23.09.2025

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1. Petitioners herein seek the quashing of an the FIR No. 409/2017 dated 07.10.2017 for the offences under Sections 308/452/506/34 IPC, registered at Police Station Harsh Vihar, along with all consequential proceedings arising therefrom, on the basis of a compromise qua a family dispute.
2. The complainant/ respondent no.2 alleged that the petitioners forcibly entered her room assaulted and threatened her. Father-in-law (petitioner no. 1), brother-in-law (petitioner no. 3) of respondent no. 2, and petitioner no. 2 (a friend of petitioner no. 3) were made accused by the complainant.
3. Learned counsel for the petitioner submits that the parties have now amicably settled the dispute before Delhi High Court Mediation and



Conciliation Centre *vide* settlement agreement dated 04.09.2018, appended as Annexure-D. She further submits that an affidavit to the effect of no objection to the quashing, duly deposed by respondent no. 2, has also been placed on record.

3.1 She would further submit that the dispute between the parties primarily arose from domestic and property-related disagreements in the family.

3.2 That petitioner no. 1 filed an application under the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules (Amendment), 2016, before the District Magistrate, Shahdara, against respondent no. 2, her husband, Surender, and his wife. Pursuant to the said application, the District Magistrate, *vide* order dated 19.01.2018, passed an eviction order against them, which was subsequently challenged before the High Court of Delhi in W.P. (C) No. 1377/2018.

3.3 She would also submit that during the pendency of the said writ petition, the parties amicably resolved all their disputes and differences arising out of a misunderstanding. Respondent no. 2 affirms that all terms of the settlement have been duly complied with. In these circumstances, further continuation of the proceedings would serve no purpose and would be a futile exercise.

4. Learned counsel for respondent no.2 and learned APP for the State concur with the factum of compromise and submit that, pursuant to 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 case file.

6. The parties are present in Court and have been duly identified by their



respective counsel and the concerned Investigating Officer. On a query put to the complainant, she candidly submits that she has amicably resolved her differences with the petitioners and has entered into the settlement of her own free will, without any pressure, coercion, or undue influence. She further states that the allegations levelled at the relevant time arose out of a misunderstanding and that minor injuries resulted from a cross-fight between both parties following a heated altercation, which led to the unsavoury incident. She further submits that although she did suffer injuries at the relevant time, they were later found to be minor in nature.

6.1 She further expresses regret for having invoked Section 308 of the IPC as she was not aware of the adverse consequences of it. In light of the settlement, she submits that she no longer wishes to pursue charges against the petitioners and would prefer to live amicably with them, maintaining the cordiality and goodwill arising from the settlement.

7. Upon hearing the parties and examining the nature of the dispute and even on a plain reading, and in light of the candid statements of parties, it appears doubtful whether the essential ingredients of the offences invoked under the penal provisions are satisfied as it was purely a civil dispute arising out of family acrimony. In light thereof, I am of the view that the petition deserves to be allowed on that count as well.

8. Be that as it may, given that the dispute has been resolved, continuing with criminal proceedings would thus serve no useful purpose and would be a drain on judicial resources and continuation of the proceedings may rather result in hostility between the parties and defeat the very purpose of the settlement.

9. Since respondent no. 2 does not wish to press charges against the



petitioners, and there is no incriminating material against them, coupled with the fact that the parties have amicably settled the matter and respondent no. 2 is now leading a blissful matrimonial life with her husband, further continuation of the criminal proceedings would amount to an abuse of the process of law

10. In the premise, this is a fit case for invoking inherent powers vested with this Court under Section 528 BNSS, 2023 and it is thus deemed expedient to quash the FIR in question. Reference may also be made to the judgment of the Supreme Court in ***Gian Singh v. State of Punjab & Anr.*** [(2012) 10 SCC 303].

11. Accordingly, the FIR No. 409/2017 dated 07.10.2017 for the offences under Sections 308/452/506/34 IPC, registered at Police Station Harsh Vihar, along with all the consequential proceedings arising therefrom, are hereby quashed.

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

ARUN MONGA, J

SEPTEMBER 23, 2025/acm