



2025:DHC:10772



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 02.12.2025

+ W.P.(CRL) 2346/2025

KAMAL PATHAK & ORS.

.....Petitioner

Through: Mr. Trilok Singh and Mr.
Satyendra Kumar, Advs. with
all petitioners in person

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Sanjay Lao, Standing
Counsel and Ms. Priyam
Aggarwal, Mr. Abhinav Arya,
Mr. Aryan Sachdeva, Advs.
with IO/ASI Ganga Ram with
SI Amit Baniwal.
Mr. Prashant Singhal Mr.
Aadish Jain, Adv for R-2. With
R-2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 248/2020, dated 21.10.2020, registered at P.S M.S. Park, Delhi under Sections 498A/406/506/34 IPC and section 4 of DV Act and all proceedings emanating therefrom on the basis of settlement between the parties.



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2. The factual matrix giving rise to the instant case is that the marriage between Petitioner No. 1 and Respondent no. 2/complainant was solemnized on 19.11.2019 as per Hindu Rites and ceremonies. No child was born out of the said wedlock. However, on account of temperamental differences Petitioner No. 1 and Respondent No. 2 started living separately.

3. As per averments made in the FIR, Respondent No. 2 was subjected to physical and mental harassment on account of dowry demands by the petitioners. FIR No. 248/2020 was lodged at the instance of respondent no. 2 at PS M.S. Park under sections 498A/406/506/34 IPC and section 4 of DV Act against the petitioners.

4. During the course of proceedings, the parties amicably resolved their disputes before the Delhi Mediation Centre Karkardooma Courts, New Delhi and the terms of settlement were written in the form of Settlement dated 23.02.2024. It is submitted that petitioner no.1 and respondent no. 2 have obtained divorce on 22.03.2025 and the petitioner no. 1 has paid the entire settlement amount of Rs. 6,50,000/- (Rupees Six Lacs Fifty Thousand only) to respondent no. 2 as per the schedule in the settlement. Copy of the settlement dated 23.02.2024 has been annexed as Annexure P-2.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officers SI Amit Baniwal and ASI Ganga Ram, from PS M.S. Park.



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6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has received the entire settlement and has no objection if the FIR No. 248/2020 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 248/2020 is quashed.

8. Hon'ble Supreme Court has recognized the need of amicable settlement of disputes in *Rangappa Javoor vs The State Of Karnataka And Another*, Diary No. 33313/2019, 2023 LiveLaw (SC) 74, *Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr.*, (2013) 4 SCC 58 & in *Gian Singh vs State of Punjab* (2012) 10 SCC 303.

9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon *B.S. Joshi v. State of Haryana*, (2003) 4 SCC.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any



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coercion. It would be in the interest of justice, to quash the above mentioned FIR and the proceedings pursuant thereto.

11. In the interest of justice, the petition is allowed, and the FIR No. 248/2020, dated 21.10.2020, registered at P.S M.S. Park, Delhi under Sections 498A/406/506/34 IPC and section 4 of DV Act and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

DECEMBER 2, 2025
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