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

+ **CRL.M.C. 5018/2025 & CRL.M.A. 21777/2025**

SUNIL KUMAR AND ORS

.....Petitioners

Through: Ms. Malka Asad, Ms. Eram Khan
Sana, Advocates with petitioners in
person.

versus

STATE GOVT OF NCT DELHI AND ANRRespondents

Through: Ms. Priyanka Dalal, APP for the State
with SI Vaibhav Singh, PS Sarita
Vihar.

Ms. Mahek, Advocate, for
complainant with complainant in
person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **29.07.2025**

1. Quashing of an FIR No. 70/2021 dated 02.03.2021 registered under Sections 323/506/509/34 of IPC at Police Station Sarita Vihar is sought herein on the ground of compromise arrived between the parties. At the relevant time, the said FIR was registered arising out of a dispute due to matrimonial acrimony between petitioner no. 1(husband) and respondent no. 2 (wife).

2. The marriage between Petitioner No.1 – Sunil Kumar and Respondent No.2 (name withheld) was solemnized on 24.11.2016 in accordance with Hindu rites. Subsequently, due to matrimonial discord and irreconcilable



differences, they began residing separately from 28.02.2021, various complaints and proceedings ensued including the impugned FIR No. 70/2021. Petitioner no. 1 is the husband of Respondent No. 2, Petitioners No. 2 and 3 are vis parents and Petitioner No. 4 is vis brother.

2.1 Parties have now voluntarily resolved their disputes through mediation. As per the settlement, both parties agreed to dissolve their marriage by mutual consent and withdraw all civil and criminal proceedings. The settlement terms included a financial component wherein Petitioner No.1 agreed to pay a total sum of ₹4,50,000/- in five installments to Respondent No.2 as full and final settlement of her claims. Out of the total amount, ₹2,00,000/- has already been paid in four installments on 24.04.2024, 05.06.2024, 21.08.2024, and 24.11.2024, and the remaining ₹2,50,000/- is to be paid at the time of quashing of the FIR, which has also been paid.

2.2 In furtherance of the settlement, the parties filed a joint petition for divorce by mutual consent. *Vide* decree dated 20.11.2024, their marriage stands dissolved.

3. Learned counsel for the petitioners submits that the FIR arises out of a purely matrimonial dispute. Continuation of further criminal proceedings would only cause harassment and serve no useful purpose, as the complainant herself does not wish to pursue the allegations any further. He urges that the impugned FIR and all consequential proceedings may be quashed on the basis of compromise.



4. Learned APP for the State, on instructions from the IO, does not oppose the prayer made in the petition in light of the settlement and divorce decree between the parties.

5. I have heard learned counsel for the parties and perused the record.

6. It transpires that during pendency of the criminal proceedings arising out of the FIR, parties were referred to mediation by the Family Court at Saket. Pursuant to a settlement, the total amount agreed be paid to the complainant/ respondent no. 2 has already been paid to her satisfaction. She is present in person in the Court and on a query put to her, states that she has entered into a settlement on her own volition free of any duress or coercion.

7. In the premise, further proceedings would be an abuse of the process of law. Especially when the dispute does not involve any public interest or interest of the society at large. Rather, continuation of proceedings may result in hostility between the parties and defeat the very purpose of settlement.

8. Thus, the trial would serve no fruitful purpose. Therefore, the proceedings deserve to be quashed in exercise of the inherent powers of the Court. Reference may also be had to ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

9. It is, therefore, deemed just and proper to invoke inherent powers of this Court under Section 528 of BNSS to avoid undue hardship to the private parties for mutual good relations and societal peace.

10. Accordingly, the present misc. petition is allowed. FIR No. 70/2021 dated 02.03.2021, lodged at Police Station Sarita Vihar, and all other



consequential proceedings for offences under Sections 323, 506, 509, 34 of IPC, against the petitioners are hereby quashed.

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

ARUN MONGA, J

JULY 29, 2025

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