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

+ CRL.M.C. 5088/2025, CRL.M.A. 22011/2025

RAJESH SINGH ALIAS RAJESH KUMAR AND ORS

.....Petitioners

Through: Mr. Sanjeev Baliyan, Adv.
(DHCLSC) with Mr. Nirbhay Sharma
and Ms. Chitranshi Gupta, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for
State.

Complainant/R-2 (through V.C.).

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

30.07.2025

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1. Petitioners herein seek quashing of the FIR No. 0089/2019 dated 18.03.2019 under Sections 498-A, 406 and 34 IPC and Sec. 3 & 4 Dowry Prohibition Act registered at P.S. Jyoti Nagar, Delhi based on the compromise between the parties as well as quashing of proceedings arising there from.

2. The dispute between the parties arose from the matrimonial discord between the Petitioner no.1 (husband) and Respondent no.2 (wife) stated to be caused by temperamental differences between them. The couple got married on 18.04.2000 according to Hindu rites, however, they are living separately from 20.07.2013. Two children out of the wedlock are also born.

2.1 Petitioner no.2 and Petitioner no.3 are family members (Sisters of Petitioner no.1).



3. Learned Counsel for the petitioners submits that the parties out of their own volition and without any coercion or undue influence, have now amicably settled their dispute *vide* Settlement Agreement dated 21.12.2021 before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

4. The Petitioners are present in person. The Complainant/Respondent no. 2 has joined through V.C. She has been identified by the IO. On a query put to her, she candidly states that she has amicably settled the dispute on her own volition without any duress and coercion. She submits that she does not wish to press any charges against the petitioners which at the relevant time arose due to matrimonial differences. As a part of amicable settlement, they have decided to live separately and discharge their duties as co-parents.

5. In response to a Court query, both the counsel for Respondent No. 2 (through V.C.) 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.

6. In the aforesaid backdrop, I have heard learned counsel for the petitioners and respondent no. 2 as well as perused the material available on record.

7. Given that the dispute has been resolved, continuing with criminal proceedings may serve no useful purpose. It would be a drain on judicial resources and abuse of the process of law, especially when dispute does not involve any public interest or interest of the society at large. Continuation of proceedings, on the other hand, may result in hostility between the parties and defeat the very purpose of settlement.

8. Quashing of the FIR would rather facilitate the parties in maintaining or restoring cordiality, especially co-parenting of children born out of the



wedlock. Therefore, the proceedings deserve to be quashed in exercise of the inherent powers of the Court. Reference may be had to judgment rendered in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]*** in this context.

9. Accordingly, 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.

10. Consequently, the instant petition is allowed. FIR No. 0089/2019 dated 18.03.2019 under Sections 498-A, 406 and 34 IPC and Sec. 3 & 4 Dowry Prohibition Act registered at P.S. Jyoti Nagar, Delhi and the criminal proceedings arising there from are hereby quashed.

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

ARUN MONGA, J

JULY 30, 2025/akc