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

+ **CRL.M.C. 5488/2025**

AMIT KUMAR

.....Petitioner

Through: Mr.Daksh Dhankhar, Advocate
alongwith petitioner

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr.Digam Singh Dagar, APP for the
State alongwith SI Chitra, P.S.-South
Rohini
Mr.Arjun Rana, Advocate for R-2
alongwith R-2

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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12.08.2025

CRL.M.A. 23495/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

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1. Petitioner herein seeks compromise quashing of an FIR No.142/2010 dated 05.05.2010, registered at Police Station South Rohini, for the alleged offences under Sections 406, 498A of IPC. Subsequently, Section 34 of IPC was also added in the chargesheet.
2. At the relevant time, a dispute arose from matrimonial discord between the petitioner (husband) and respondent no. 2 (wife). The parties were married on 23.01.2007 in accordance with Hindu rites and customs,

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and one child is born from the wedlock. However, owing to temperamental differences, they began residing separately.

3. The respondent no.2 initially lodged a complaint against the petitioner before the CAW Cell, Rohini and on the basis of the said complaint, the FIR in question was registered against the petitioner.

4. Learned counsel for the petitioner submits that the parties have now amicably resolved their dispute through a MOU/ Settlement Agreement dated 01.04.2023 executed before the Delhi Mediation Centre, Rohini District Courts.

5. Pursuant to the settlement, it transpires that the marriage between the petitioner and respondent no.2 has already been dissolved by a decree of divorce dated 25.03.2025, granted by the learned Family Court under Section 13(B)(2) of the Hindu Marriage Act, 1955, by way of mutual consent. It has been mutually decided that the minor child shall remain in custody of the mother with visitation rights to the father once i.e. on the last Sunday of every month for 3-4 hours or as per convenience of the child.

6. The parties are present in the Court, and I have interacted with them. On a Court query put to the complainant, she candidly submits that she has arrived at mutual settlement on her own volition without any duress or coercion. She further submits that the allegations made at the time of the incident, which occurred within the family, were the result of a heated exchange of tempers. In view of the amicable settlement, she does not wish to pursue any proceedings against the petitioner.

7. In the aforesaid backdrop, I have heard the learned counsels for the parties and perused the case file.

8. Having interacted with the complainant and noting that she does not



wish to press charges against the petitioner, and considering that the dispute is entirely private and arose out of matrimonial differences, continuation of the criminal proceedings would serve no meaningful purpose. Such continuation would amount to an abuse of the process of law, impose an unnecessary burden on the judicial system, and may even rekindle hostility between the parties. In contrast, quashing the proceedings would respect the amicable settlement between the parties and promote harmony, thereby fulfilling the very objective of resolving such disputes without further conflict.

9. In the premise, in the larger interest of justice, and in exercise of the inherent powers vested in this Court, it is deemed expedient to quash the FIR in question arising out of matrimonial dispute between the private parties. Reference may also be made to the judgment of the Hon'ble Supreme Court in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

10. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No.142/2010 dated 05.05.2010, registered at Police Station South Rohini, for the alleged offences under Sections 34, 406, 498A of IPC, along with all further proceedings arising therefrom, are hereby quashed.

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

ARUN MONGA, J

AUGUST 12, 2025
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