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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5771/2025**

RAJU @ RAJU KUMARPetitioner
Through: **Mr.Prashant Kumar, Advocate**

versus

THE STATE(NCT) OF DELHI & ANR.Respondents
Through: **Mr.Digamber Singh Dagar, APP with**
SI Nirav PS Nihal Vihar

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
21.08.2025

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1. Petitioner herein seeks quashing of an FIR No. 329/2015 under Sections 406, 498A, 34 of IPC, registered at P.S. Nihal Vihar, Delhi, along with all the proceedings arising therefrom, on the basis of the settlement arrived at between the parties.
2. Dispute between the parties arose from matrimonial discord between petitioner and respondent no.2 (Wife) stated to be caused by temperamental differences between them. The couple got married on 28.02.2009 according to Hindu rites, however, they are living separately since 14.10.2016. Subsequently, on the basis of the complaint of Respondent no. 2, the aforesaid FIR was registered against the Petitioner. Out of the said wedlock two children are born.
3. Learned Counsel for the petitioner submits that the parties, have now amicably resolved all their disputes by way of settlement for a sum of



Rs.2,50,000/- *vide* settlement dated 09.05.2023 arrived at the Counselling Cell, Tis Hazari, Delhi.

4. Learned Counsel for the petitioner further submits that per the terms of the settlement, petitioner No.1 has already paid Rs.1,70,000/- to respondent No. 2 at the time proceedings under Sections 13(b)(i) & 13(b)(ii) of the Hindu Marriage Act, 1955 and the balance amount has been paid today, during the course of proceedings. Needful has been done.

5. In response to a Court query, both the counsel for Respondent No. 2 and the learned Public Prosecutor for the State concur with the factum of the compromise arrived at between the parties and convey their no objection to the quashing of the FIR.

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

7. Parties are present in the Court, and have been identified by their counsel and the concerned Investigating Officer. On a query posed by the Court, the parties submit that they have amicably settled the dispute and accepted the terms thereof out of their own volition and without any duress, pressure or coercion from any quarter. Pursuant thereto, the parties have obtained a divorce decree dated 25.11.2023 by mutual consent from the competent Family Court and it is mutually agreed that Respondent No. 2 shall have the exclusive custody of both the minors.

8. 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



the proceedings, on the other hand, may result in hostility between the parties and defeat the very purpose of the settlement.

9. Quashing the FIR would rather facilitate the parties in maintaining or restoring cordiality. Therefore, the proceedings deserve to be quashed in the exercise of the inherent powers of the Court. Reference may be had to the judgement rendered in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]*** in this context.

10. 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. However, quashing of FIR and/or settlement between the parties shall have no bearing on inheritance rights of both the minors.

11. Consequently, the instant petition is allowed. FIR No. 329/2015 under Sections 406/498A IPC, registered at P.S. Nihal Vihar, Delhi, and the criminal proceedings arising there from are hereby quashed.

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

ARUN MONGA, J

AUGUST 21, 2025/SV