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

+ CRL.M.C. 5971/2025 and CRL.M.A. 25423/2025

OM PRAKASH & ANR.

.....Petitioners

Through: Mr. Rishu Singh and Ms. Vasudha Gupta, Advocates with petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State with SI Akash Kumar, PS – Bhajanpura.
Ms. Indu Kaul, Advocate with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

27.08.2025

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1. Petitioners herein seek quashing of FIR No. 209/2016 dated 27.02.2016 under Sections 34, 406, 498A IPC, registered at Police Station Bhajan Pura, along with all consequential proceedings arising therefrom, on the basis of a compromise between the parties.

2. Dispute between the parties arose from the matrimonial discord between Petitioner No.1 (husband) and complainant/Respondent No.2 (wife). The couple got married on 24.11.2012 according to Hindu rites. However, due to irreconcilable differences, the couple started living separately since 2018. One child is born from the wedlock presently in the care and custody of Respondent No.2.

2.1 Petitioner No.2 is the mother-in-law of the complainant.



3. Learned counsel for the petitioners submits that the parties have now amicably settled their dispute *vide* MOU dated 09.08.2024, before the Mediation and Conciliation Centre, Tis Hazari Courts, Delhi. Learned counsel further submits that the affidavit to the effect of no objection to quashing deposed by respondent No.2/ complainant is also placed on record.

4. He submits that pursuant to the settlement thereto, parties have agreed to withdraw any/all cases against each other.

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

6. The parties are present in Court, and I have interacted with them. Upon a query put to Respondent No. 2, she candidly submits that she has amicably resolved her differences with her husband and has entered into the settlement of her own free will, without any pressure, coercion, or undue influence. She further states that pursuant to the settlement, the petitioner no.1 has complied with the terms of the settlement to her satisfaction and nothing remains payable to her. The complainant states that in view of the settlement, she does not wish to continue with the proceedings against the petitioners.

7. Moreover, it transpires that the marriage between the petitioner and respondent no.2 has already been dissolved *vide* decree of divorce dated 17.04.2025, passed by the learned Family Court under Section 13(B)(2) of the Hindu Marriage Act, 1955, by way of mutual consent.

8. Given that the dispute, being private and personal in nature arising out of their matrimonial relationship, has since been amicably resolved, and the complainant herself does not wish to pursue the case against the petitioners.



In these circumstances, pursuing the criminal case would serve no useful purpose, would unnecessarily burden the judicial system, and may even rekindle hostility between the parties, thereby defeating the very object of the settlement whereas quashing the same would, however, foster peace and harmony between them.

9. Thus, 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 Supreme Court in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

10. Accordingly, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of BNSS, 2023, the FIR No. 209/2016 dated 27.02.2016 under Sections 34, 406, 498A IPC, registered at Police Station Bhajan Pura, and all other proceedings arising there from are quashed.

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

ARUN MONGA, J

AUGUST 27, 2025

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