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

+ CRL.M.C. 6151/2025

AMIT KUMAR @ ANKIT KUMARPetitioner

Through: Mr.Prakash kashyap and Mr.Ashok
Mahanna, Advocates with petitioner
in person.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr.Digam Singh Dagar, APP with SI
Ravindra, PS CR Park
Mr.Ankit Mahamna, Advocate for R-
2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

02.09.2025

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1. Petitioner herein seeks quashing of an FIR No. 58/2023 dated 02.02.2023 under Section 498A IPC, registered at P.S. South Rohini, Delhi, along with all the proceedings arising therefrom, on the basis of the compromise between the parties.
2. Dispute between the parties arose from the matrimonial discord between Petitioner no.1 (Husband) and Respondent no.2 (Wife) stated to be caused by temperamental differences between them. The couple got married on 01.11.2009 according to Hindu rites, however, they are living separately for more than four years. The couple is blessed with two children from the wedlock.
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 resolved all their disputes by way of settlement *vide* Memorandum of Understanding (MoU) dated 23.08.2025.

4. Parties are present in the Court, and have been identified by their counsel and the concerned Investigating Officer.

5. On a query posed by the Court, the parties submit that they have amicably settled their dispute. The parties submitted that they have decided to obtain divorce through mutual consent and the proceeding under Section 13B(1) of the Hindu Marriage Act, 1955 have already been recorded. They further submit that the proceedings under Section 13(B(II) of the Hindu Marriage Act, 1955 shall be filed in due course.

6. Respondent No.2 in reply to specific Court queries submitted that she is fully aware of her rights and has settled the matter out of her own volition and without any duress, pressure or coercion from any quarter. She further submitted that she has received the total settlement amount from the petitioner and thus she does not wish to press any charges against the petitioner. She further submits that the two minor children born out of the wedlock are in her exclusive custody.

7. In response to a Court query, the learned APP for the State also does not oppose the prayer made by the petitioner seeking quashing of the FIR in question in view of the settlement arrived between the parties.

8. 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.

9. In view thereof, since respondent no. 2 does not wish to press charges against the petitioners and in the absence of any incriminating material against them, coupled with the fact that the parties have amicably



compromised the matter, the proceedings would amount to an abuse of the process of law.

10. Given that dispute between the parties, being private and personal in nature arising out of the matrimonial relationship has since been amicably resolved, 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.

11. 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]***.

12. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 58/2023 dated 02.02.2023 under Section 498A IPC, registered at P.S. South Rohini, Delhi along with all consequential proceedings arising therefrom, are hereby quashed. However, quashing of the FIR and/ or settlement between the parties shall have no bearing on the inheritance rights of the minor.

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

ARUN MONGA, J

SEPTEMBER 2, 2025/SV