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

+ CRL.M.C. 6499/2025 and CRL.M.A. 27387/2025

RAJESH KUMAR & ORS.

.....Petitioners

Through: Mr. Aman Saini and Mr. Vivek Chaudhary, Advocates with petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State with SI Dharamveer, PS – Chhawla.
Mr. Shraveen Kumar Verma and Mr. Diwas Kumar, Advocates for respondent no. 2 with respondent no. 2 in person.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
12.09.2025

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1. Petitioners herein seek quashing of FIR No. 451/2018 dated 31.10.2018 for the alleged offences punishable under Sections 498A, 34 IPC, registered at Police Station Chhawala, along with any consequential proceedings arising therefrom, on the basis of a compromise between the parties.
2. The Petitioner No.1 (husband) and Respondent No. 2 (wife) got married on 05.08.2011 according to Hindu rites. One male child is born from the wedlock, presently in the care of Respondent no.2. Petitioner no.2 is the father and petitioner no.3 is the mother of petitioner no.1.



3. Learned counsel for the petitioners submits that the parties have now amicably settled their dispute *vide* MOU/ Settlement Deed dated 05.07.2025, appended as Annexure P-4.

3.1 He would further submit that, pursuant to the settlement, marriage between petitioner no.1 and respondent no.2 has also been dissolved by mutual consent *vide* decree of divorce dated 24.05.2019 by the competent Family Court.

3.2 He would also submit that it has been mutually agreed between petitioner no.1 and respondent no.2 that the custody of the male child shall remain exclusively with the respondent no.2 (mother).

4. Learned APP for the State, under instructions concur with the factum of compromise between the parties and same has been duly verified, he informs.

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

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 out 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. She also states that in view of the settlement, she does not wish to continue with the proceedings against the petitioners.



7. Having interacted with the complainant, who is present in person, it appears that the dispute is purely a family matter with no involvement of public or societal interest. Since the complainant (wife) does not wish to press charges and there is no incriminating evidence against the petitioners, coupled with the fact that a compromise has been reached, continuing with the criminal proceedings would be an exercise in futility, amounting to an abuse of the legal process. Furthermore, it would place an unnecessary burden on the judicial system and lead to the wasteful expenditure of public resources by the prosecution.

8. The trial would thus serve no fruitful purpose and further proceedings would rather result in hostility between the parties, defeating the very purpose of their settlement. In view thereof, the proceedings deserve to be quashed in exercise of the inherent powers of the Court. Reference in this context may also be made to judgment rendered in the case of ***Gian Singh vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

9. Accordingly, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 the FIR No. 451/2018 dated 31.10.2018 for the alleged offences punishable under Sections 498A, 34 IPC, registered at Police Station Chhawala, and all other proceedings arising therefrom, are hereby quashed. However, it is clarified that the quashing of the FIR shall not in any manner affect the minor's inheritance rights with respect to his father.

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

ARUN MONGA, J

SEPTEMBER 12, 2025/kd