



\$~56

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

+ **CRL.M.C. 6502/2025**

NITIN SHARMA & ORS.

.....Petitioners

Through: Mr. Ritesh Oberoi, Advocate with
petitioners in person.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
Mr. Sanyam, Advocate for respondent
no. 2 with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER
12.09.2025

%

1. Petitioners herein seek quashing of FIR No. 223/2024 dated 02.07.2024 lodged under Sections 498A, 406, 34 IPC, registered at Police Station Mohan Garden, along with any 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 Petitioner No.1 and Respondent No. 2 were married on 10.02.2014 according to Hindu rites. Due to irreconcilable differences, the parties started living separately from 15.04.2023. One female child is born out of the wedlock, who is currently in the care and custody of Respondent no. 2.



2.1 Petitioner No. 2 is the father and Petitioner No. 3 is sister of the Petitioner No.1.

3. Learned counsel for the petitioners submits that the parties have amicably settled their dispute *vide* Settlement Deed dated 17.02.2025 which is placed on record (**Annexure–P-4**). Learned counsel further submits that the affidavit to the effect of no objection to quashing deposited by respondent No.2/ complainant is also placed on record.

4. Both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise arrived between the parties and convey their no objection to the quashing of the FIR.

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

6. Parties are present in Court and I have interacted with the complainant/ wife. On a query put to the complainant/ wife, she candidly states that she has entered into the settlement out of her free volition, without any duress or coercion. She states that she does not wish to press any charges against the petitioners having amicably settled the dispute.

7. She states that marriage also stands dissolved *vide* a decree dated 18.08.2025 passed by competent Family Court. As regards the other part of the compliance of the settlement, she states that the same has been complied with by her ex-husband to her full and final satisfaction.

8. Since the complainant/ wife does not wish to press charges against the petitioners and there is no incriminating material against them coupled with the fact of compromise, further proceedings before the Court would be an abuse of the process of law. Especially, when the dispute does not involve



any public interest or interest of the society at large. Continuation of proceedings may rather result in hostility between the parties and defeat the very purpose of settlement.

9. The trial would thus serve no fruitful purpose and will be an exercise in futility. Whereas non-quashing of the FIR would not only amount to misuse of the judicial process, but also defeat the very object of settlement. Therefore, further 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].

10. However, I may like to make it clear that quashing of the FIR and/or settlement between the parties shall have no bearing on the inheritance rights of the minor qua her father.

11. Accordingly, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of BNSS, 2023, the FIR No. 223/2024 dated 02.07.2024 lodged under Sections 498A, 406, 34 IPC, registered at Police Station Mohan Garden and all other proceedings arising there from are quashed.

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

ARUN MONGA, J

SEPTEMBER 12, 2025

kd