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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6558/2025**

NEERAJ KUMAR AND ORS

.....Petitioners

Through: Mr.Abhishek Arora, Advocate
alongwith petitioners

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr.Digam Singh Dagar, APP for the
State alongwith SI Bharat Singh, P.S.-
Uttam Nagar
Mr.Jatin Garg, Advocate for
complainant alongwith complainant

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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15.09.2025

CRL.M.A. 27640/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

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1. Petitioners herein seek quashing of an FIR No.0003/2023 dated 02.01.2023 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Uttam Nagar, 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/complainant (wife) got married on 19.04.2017 according to Hindu rites and ceremonies. However, due to temperamental differences, the couple has been living separately since 20.12.2020. Two children namely Daksh and Rohit are born

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from their wedlock who are in the care and custody of respondent no. 2.

3. Learned counsel for the petitioners submits that the parties have now amicably settled the matter before the Counselling Cell, Family Courts, Dwarka Courts, Delhi *vide* settlement deed dated on 07.01.2025.

3.1 He further submits that pursuant to the settlement, marriage between the petitioner No.1 and respondent no.2 has already been dissolved by a decree of divorce dated 28.07.2025.

4. Both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise 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. 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. 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, further criminal proceedings would amount to an abuse of the



process of law.

8. Given that the dispute has been resolved amicably through a financial settlement and mutual consent divorce, continuing with criminal proceedings may serve no useful purpose and would be a drain on judicial resources and abuse of the process of law. Quashing the FIR would facilitate the parties in maintaining or restoring cordiality, especially co-parenting the minor child born out of the wedlock. The child's well-being would be better preserved in an environment where the parents are not embroiled in ongoing legal disputes.

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. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 0003/2023 dated 02.01.2023 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Uttam Nagar, along with all consequential proceedings arising therefrom, are hereby quashed. However, I may like to make it clear that quashing of the FIR shall have no bearing on the inheritance rights of the minor children qua their father.

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

ARUN MONGA, J

SEPTEMBER 15, 2025/dy

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