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

+ W.P.(CRL) 3003/2025 and CRL.M.A. 27839/2025

AJAY@GHANSHYAM & ORS.

.....Petitioners

Through: Mr. Roopendra Yadav and Mr. Kamal Kishore Yadav, Advocates with petitioners in person.
Mr. Asghar Khan, Mr. Abdul Tahir Khan, Mr. Anushav Agrawal, Mr. Sahar, Mr. Wasil Khan, Md. Jamal Khan, Mr. Ashar Khan, Mr. Najmi Khan and Mr. Nasir Hussain, Advocates.

versus

THE STATE GOVT. NCT OF DELHI & ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel (Criminal).
Mr. Aslam Shah, Mr. Sunil Kumar, Mr. Vinod Pal and Mr. Davender Kumar, Advocates for respondent no.2 with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

17.09.2025

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1. Petitioners herein seek quashing of an FIR No. 395/2024 dated 28.07.2024 for the offences punishable under Sections 498A, 406, 34 IPC, registered at Police Station Swaroop Nagar, along with any consequential proceedings arising therefrom, on the basis of a compromise between the parties.



2. Dispute between the parties arose from matrimonial discord between petitioner no.1 (husband) and complainant/respondent no.2 (wife). The couple got married on 28.11.2014 according to Hindu rites and one male child is born from the wedlock, presently in the care and custody of respondent no.2 (mother). However, the parties started living separately since 2015. Petitioner no. 2 is the father and petitioner no. 3 is mother, petitioner nos. 4 and 5 are the sisters and petitioner no.6 is the brother of the petitioner no.1.

3. Learned counsel for the petitioners submits that the parties have now amicably settled their dispute *vide* Memorandum of Understanding/ Settlement Deed dated 04.10.2024 before the Delhi Mediation Centre, Rohini District Courts, appended as Annexure–P-2.

3.1 He further submits that pursuant to the settlement, marriage between petitioner no.1 and respondent no.2 has already been dissolved by a decree dated 21.05.2025.

3.2 Learned counsel also submits that, keeping in view that the parties have amicably settled their disputes and differences arising from their matrimonial relationship, further continuation of proceedings would be a futile exercise.

4 Learned counsel for the respondent no.2 and learned SC 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.



4. 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, no grievance remains unresolved and thus, she does not wish to continue with the proceedings against the petitioners.

5. Having heard, the dispute seems to be an entirely a family matter not involving either any public interest or societal interest, it would thus be an exercise in futility to continue with the further criminal proceedings as the same would be nothing but an abuse of process of law, apart from the heavy burden on the judicial system as well as wasteful expenditure of the public by the prosecution.

6. In the premise, taking a wholesome view and in order to let the parties entire mutual cordiality which will go long way to establish peace rather than promote hostility in case further proceedings continue, this is a fit case for invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 (erstwhile Section 482 Cr.P.C.), and it is deemed expedient to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

7. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No.395/2024 dated 28.07.2024 for the offences punishable under Sections 498A, 406, 34 IPC, registered at Police Station Swaroop Nagar, and all other 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 child.

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

ARUN MONGA, J

SEPTEMBER 17, 2025/kd