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

+ CRL.M.C. 6846/2025

PRAFUL KUMAR AKELA & ORS.Petitioners

Through: Mr. Ali Muzaffar, Adv.

Versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Dharmendra Sharma, P.S. Patel
Nagar.

The complainant is appearing through video
conferencing while her father is present in Court.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **23.09.2025**

1. Petitioners herein seek quashing of an FIR No. 229/2020 dated 10.05.2020 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Patel Nagar, along with any consequential proceedings arising therefrom, on the basis of the compromise between the parties.

2. The petitioner No.1 (husband) and respondent No.2/complainant got married on 11.11.2016 as per Hindu rites, customs and ceremonies. However, due to temperamental differences, they started residing separately since 28.03.2018. One female child is born from the wedlock who is in the care and custody of Respondent no. 2/ Mother.

2.1 Petitioner No. 2 (Mother), Petitioner No. 3 (Sister), Petitioner No. 4 (Husband of Sister). Petitioner No. 5 (Sister) are the family members of Petitioner No. 1.

3. Learned counsel for the petitioners submits that the parties have now amicably settled the matter *vide* settlement agreement dated 26.10.2024,



before the learned Judge, Family Court-02, West, Tis Hazari Courts, Delhi (**Annexure D**). He further submits that in terms of the settlement both motions for decree of divorce by mutual consent have already been moved before the learned Family Court, Tis Hazari.

4. Both the learned APP and learned counsel for the petitioner concur with the factum of the compromise having been arrived at 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 petitioner and respondent no. 2 in person as well as perused the material available on record.

6. Complainant is appearing through video conference and has been identified by her respective counsel and the concerned Investigating Officer. The father of the complainant is present in person. Learned counsel for the petitioners has handed over to a cheque for a sum of Rs.10 lakh to the father of the complainant against the remaining amount payable to the complainant at the time of quashing of the FIR.

7. On a Court query put to the complainant, she candidly submits that she has arrived at mutual settlement on her own volition without any duress or coercion. She further states that pursuant to the settlement, the petitioner No.1 has complied with the terms of the settlement to her satisfaction. The complainant states that in view of the settlement, she does not wish to press any charges against the petitioners.

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. 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. In the interest of justice, and exercising the inherent powers vested in this Court under Section 528 of BNSS, it is therefore deemed appropriate to quash the FIR arising from this matrimonial dispute. Reference may be had to judgment rendered in *Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]* in this context.

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

11. Accordingly, the instant petition is allowed and FIR No. 229/2020 dated 10.05.2020 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Patel Nagar along with all consequential proceedings arising therefrom are hereby quashed.

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

ARUN MONGA, J

SEPTEMBER 23, 2025

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