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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 6924/2025 & CRL.M.A. 29099/2025 EXMP.
YOGESH KUMAR & ORS.

.....Petitioners

Through: Counsel for the petitioner
(appearance not given)

versus

THE STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State with W-ASI Neel Kamal, P.S.
CWC, Nanakpura, Delhi.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **25.09.2025**

1. Petitioners herein seek quashing of an FIR No. 0002/2024 dated 08.02.2024 for the alleged offences under Sections 498A/406/34 IPC, registered at Police Station Crime (Women) Cell, Nanak Pura, along with all the consequential proceedings arising therefrom, on the basis of a compromise between the parties.

2. Dispute between the parties arose mainly from the matrimonial discord between Petitioner no.1 (husband) and Respondent no.3/ complainant (wife). The couple got married on 25.11.2020 as per Hindu rites and customs. They are living separately since 01.04.2023. No child is born from the wedlock.

2.1 The aforesaid FIR was also registered against the Mother (Petitioner



no.2) and the Father (Petitioner no.3) of Petitioner no.1

3. Learned counsel for the petitioner submits that the parties have amicably resolved all their disputes by way of settlement for a sum of Rs.8,00,000/- *vide* Memorandum of Understanding dated 13.05.2025.

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 04.07.2025 by competent Family Court.

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. The learned APP for the state in the petition, under instructions concur with the factum of compromise between the persons and the same has been duly verified, he informs.

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 Complainant/Respondent no.2 is present in Court and upon interaction, 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, she does not wish to continue with the proceedings against the petitioners as no dispute and grievance remains unresolved with the petitioners.

7. Having heard, it appears that the dispute was purely a family matter with no involvement of public or societal interest. Since the complainant



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.

8. The genuineness of the compromise is not in dispute. However, since the Trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. 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 rather defeat the very purpose of the settlement and be a drain on judicial resources and abuse of the process of law. Quashing the FIR, on the other hand, would facilitate the parties in maintaining and restoring cordiality.

9. In the premise, taking a wholesome view and in order to let the parties entire mutual cordiality and the family bonhomie 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, 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]***.

10. Accordingly, exercising the inherent powers vested in this Court under Section 528 of BNSS, it is therefore deemed expedient to quash the FIR in question arising out of matrimonial dispute.

11. Consequently, the instant petition is thus allowed. FIR No. 0002/2024 dated 08.02.2024 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Crime (Women) Cell, Nanak



Pura, and all other proceedings arising therefrom, are hereby quashed.

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

ARUN MONGA, J

SEPTEMBER 25, 2025

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