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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 7141/2025, CRL.M.A. 30016/2025 & CRL.M.A.
30017/2025
SHIVAM VIRMANI & ORS.

.....Petitioners
Through: Mr. Raghav Mendiratta & Mr.
Mannat Kohli, Advocates.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents
Through: Mr. Digam Singh Dagar, APP for the
State with SI Ravinder PS Rani Bagh.
R-2

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
09.10.2025

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1. Petitioners herein seek quashing of an FIR No. 1011/2022 dated 15.07.2022 for the alleged offences under Sections 498A, 377, 323, 34 of IPC, registered at Police Station Rani Bagh, Delhi, along with any consequential proceedings arising therefrom, on the basis of a compromise.
2. The petitioner no. 1 (husband) and respondent no.2/complainant (wife) got married on 22.08.2019 according to Hindu rites and ceremonies. However, due to temperamental differences, the couple has been living separately since April 2022. One female child is born on from the wedlock who is presently in the care and custody of respondent no. 2/ Mother.



2.1 Petitioner no. 2 is the mother and petitioner no.3 is the father of petitioner no.1.

3. Learned counsel for the petitioners submits that the parties have now amicably settled the matter *vide* MoU/ Settlement Deed dated 01.05.2025 which is appended as Annexure C. Learned counsel further submits that the affidavit to the effect of no objection to quashing deposited by respondent no.2 is also placed on record as Annexure E.

3.1 He also 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 20.08.2025.

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 respondent no. 2 and the learned APP for the State both concur with the factum of the compromise arrived between the parties and convey their no objection to the quashing of the FIR in question.

5. In the aforesaid backdrop, I have heard learned counsel for the parties as well as perused the material available on record.

6. The complainant/ respondent no.2 is present in Court through video conferencing 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 certain domestic discord between her and her husband had escalated into heated altercations resulting in some unfortunate and unsavoury incidents owing to which Section 323 was



invoked without fully understanding the gravity of allegations made. Pursuant to the settlement, she submits that she does not now wish to continue with the proceedings against the petitioners as no dispute and grievance remains unresolved with the petitioners.

7. Upon hearing the parties and examining the nature of the dispute, it is borne out that the FIR in question was lodged arising from domestic discord. Even on a plain reading of the record, and in light of the candid statements of the parties, it appears doubtful whether the essential ingredients of the offences invoked under the penal provisions are satisfied. In light thereof, I am of the view that the petition deserves to be allowed on that count as well.

8. The dispute is purely of a matrimonial nature, involving no public or societal interest. Since the complainant (wife) 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.

9. 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.

10. In the premise, this is a fit case for invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 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]***.

11. Accordingly, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 the FIR No. 1011/2022 dated 15.07.2022 for the alleged offences under Sections 498A/406/34 IPC, registered at Police Station Rani Bagh, Delhi, and all other 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 *qua* her father.

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

ARUN MONGA, J

OCTOBER 9, 2025/rs/nk