



2025:DHC:2457



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 08.04.2025

+ CRL.M.C. 9707/2024

KARAN KHANNA AND ORS

.....Petitioner

Through:

Mr. Chaman Lal, Advocate

Petitioner no. 1 in person

Petitioner no. 2 & 3 through VC

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through:

Mr. Hitesh Vali, APP for the State

with SI Chitra, P.S.South Rohini

Mr.Kawalpreet Singh , Adv. for R-2

R-2 in person.

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HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)**RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, on behalf of the petitioner, seeking quashing of FIR No. 228/2024, dated 02.07.2024, P.S South Rohini under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 05.05.2019 in Delhi according to Sikh rites and ceremonies. From this wedlock, a male child named Yodhansh Khanna was born on 13.04.2020. Due to temperamental differences,



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the couple started living separately from 23.12.2023. Thereafter, on a complaint made by respondent No.2 the aforesaid FIR was registered.

3. It is submitted that with the intervention of relatives from both sides, the petitioner No.1 and respondent No.2 mutually resolved their differences. They started residing together again as husband and wife at a rented accommodation at F-29, Ground Floor, Malka Ganj, Delhi-110007 from 21.10.2024, independent of their respective families. It is further submitted that the parties have duly reduced their settlement conditions into a Memorandum of Understanding (MoU) dated 26.11.2024 which has been placed on record as Annexure P4.

4. Petitioner no. 1 and Respondent no. 2 are physically present before the Court whereas Petitioner no. 2 & 3 have entered their appearances through VC. They have been identified by their respective counsels as well as by the Investigating Officer, SI Chitra from PS South Rohini.

5. Respondent no. 2 submits that the matter has been settled with the petitioners. She further submits that she and Petitioner no. 1 are living together peacefully and she has no objection if the FIR is quashed against the petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of



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disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 228/2024, dated 02.07.2024, P.S South Rohini under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 228/2024, dated 02.07.2024, P.S South Rohini under sections 498A/406/34 IPC and all the other consequential proceedings emanating therefrom are hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

APRIL 8, 2025/ib/r