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

+ **W.P.(CRL) 3993/2024 & CRL.M.A. 38575/2024**

SAHIL VIG & ORS.

.....Petitioners

Through: Mr. Puneet Bhola and Ms. Drishty
Maan, Advocates for P1 to P4

versus

THE STATE GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyay, ASC for
the State with Mr. Abhijeet Kumar,
Adv.
SI Doli Tevathia PS Adarsh Nagar

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

03.03.2025

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1. The Petitioners seek quashing of FIR No. 012/2022 dated 03.01.2022 registered at P.S Adarsh Nagar, Delhi for offences under Sections 498A/406/34 of the Indian Penal Code, 1860, on the ground that the parties have settled their disputes.

2. The subject FIR has been filed on the complaint of Respondent No. 2. It is the case of the Petitioners that the parties have settled all their disputes in terms of the Memorandum of Understanding (MoU) dated 22.11.2024.

3. This order is being passed in continuation of the order dated 22.01.2025 wherein this Court had recorded the statement of Respondent no. 2 that she has no objection to the quashing of the subject FIR and she has confirmed that all terms and conditions of the settlement deed dated



22.11.2024 have been performed by the parties. She had requested to record that however the final order in this petition be deferred to ensure that the proceedings before the High Court of Punjab and Haryana also stands concluded.

4. Learned counsel for the Petitioners state that CRM.M. 63205/2024 pending before the High Court of Punjab and Haryana has been allowed vide Order dated 06.02.2025 and FIR No. 0055/2022 registered at P.S. Sector-39, Chandigarh and proceedings emanating therefrom stands quashed.

5. He states that this was the only obligation which remained outstanding on the part of the Petitioners. He states that the gold chain and gold pendant referred to in clause 11 of the MoU and in paragraph 20 of the order dated 22.01.2025 has been handed over to the Investigating Officer (IO) who is present in Court.

6. He states that therefore there is no impediment in the present petition being allowed and FIR no. 0012/2022 registered at P.S. Adarsh Nagar, New Delhi and proceedings emanating therefrom being quashed.

7. Learned ASC on instructions from the IO confirms that the gold chain and gold pendant has been received.

8. In view of the order dated 06.02.2025 passed by the Punjab and Haryana High Court and the Petitioners having handed over the remaining gold ornaments to the IO, this Court finds no impediment in allowing the present petition in terms of the settlement arrive between the parties.

9. In this regard it would be apposite to refer to the Judgement of Supreme Court in the case of **Jitendra Raghuvanshi & Ors. Vs. Babita**



Raghuvanshi & Anr¹, wherein Supreme Court has opined that in respect of the matrimonial disputes settlement inter se the parties must be encouraged and has specifically held as follows:

“15. In our view, it is the duty of the courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase. **Even if the offences are non-compoundable, if they relate to matrimonial disputes and the Court is satisfied that the parties have settled the same amicably and without any pressure, we hold that for the purpose of securing ends of justice, Section 320 of the Code would not be a bar to the exercise of power of quashing of FIR, complaint or the subsequent criminal proceedings.**

16. There has been an outburst of matrimonial disputes in recent times. The institution of marriage occupies an important place and it has an important role to play in the society. Therefore, every effort should be made in the interest of the individuals in order to enable them to settle down in life and live peacefully. If the parties ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law, in order to do complete justice in the matrimonial matters, the courts should be less hesitant in exercising their extraordinary jurisdiction. It is trite to state that the power under Section 482 should be exercised sparingly and with circumspection only when the Court is convinced, on the basis of material on record, that allowing the proceedings to continue would be an abuse of process of court or that the ends of justice require that the proceedings ought to be quashed....”

(Emphasis Supplied)

10. Accordingly, keeping in view the nature of the dispute and the fact that the parties have amicably settled the dispute and considering the chances of conviction of the Petitioners being remote and bleak, this Court is, therefore, of the view that there is no use continuing with proceedings of the present FIR as it would be misuse of the process of the Court and an unnecessary burden on the State exchequer. Further this Court is also of the considered opinion that it is a fit case to exercise discretionary jurisdiction

¹ . (2013) 4 SCC 58



under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

11. In view of the above, the FIR No. 0012/2022 dated 03.01.2022 registered at P.S Adarsh Nagar, Delhi for offences under Sections 498A/406/34 of the Indian Penal Code, 1860 and proceedings emanating therefrom are quashed.

12. Parties shall abide by the terms of settlement.

13. Pending application is disposed of as infructuous.

14. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

MARCH 03, 2025/hp/AKT

Click here to check corrigendum, if any