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

+ **CRL.M.C. 40/2025&CRL.M.A. 194/2025**

PRINCEDEEP SINGH & ORS.

.....Petitioners

Through: Mr. Vishesh Wadhwa, Ms. Swadha
Gupta and Ms. Snigdha Jha, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State.
SI Sher Singh, PS CWC, Nanakpura.
Ms. Radhika C. Adv. For R-2. Along
with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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25.04.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 194/2025(exemption)

2. Allowed, subject to all just exceptions. This application is disposed of.

CRL.M.C. 40/2025

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR No. 005/2023, under Sections 498A/406/34 IPC, registered at PS CAW Cell, Nanakpura, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Abhilasha Singh, Ld. Metropolitan Magistrate, Dwarka Courts, Delhi.

4. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 11.12.2005 as per Hindu (Sikh) rites and customs and out of the said wedlock one female child was born on 11.03.2014.

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5. Due to matrimonial differences between petitioner no. 1/husband and respondent no. 2/wife, the parties resided separately from 04.01.2021. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law) and petitioner no. 3 (mother-in-law), petitioner no. 4 (brother-in-law).

6. On 18.10.2023, the parties arrived at a settlement *vide* a Settlement Deed (Annexure-B) and as per the said settlement deed, respondent no. 2/wife has undertaken to transfer the ownership of the two cars i.e. Mercedes car bearing No. HR29AL0013 and Baleno Car bearing No. DL 02 CAX 9274, in the name of petitioner no. 1 and further during course of her marital life she was added as an authorized person to operate the Bank Locker bearing No. 100 with HDFC Bank, Branch, Club Road, West Punjabi Bagh, New Delhi which is issued in the name of petitioner no.3/mother of petitioner no.1 and, respondent no. 2 has now agreed not to operate the said locker and to issue 'No Objection Certificate', to carry out other required formalities for the deletion of her name as an authorized person to operate the said Locker No. 100 with HDFC Bank. The said Locker No.100 with HDFC Bank does not contain any articles/*istridhan*, etc belonging to respondent no.2. As per the said settlement, custody of the minor child will be with the respondent no. 2/wife.

7. Further, petitioner no. 1/husband and respondent no.2/wife have amicably settled their dispute towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future.

8. In terms of the said settlement, the marriage between the parties stands

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dissolved by a decree of divorce dated 23.11.2023, passed by Mr. Vinay Kumar Khanna, Principal Judge, Family Courts, West District, Tis Hazari Courts, Delhi (Annexure C).

9. Petitioners No. 1 and 4 and the complainant/respondent No. 2 are present before the Court today in person and petitioner no. 2 and 3 have appeared through video-conferencing and the parties have been duly identified by their respective counsel, as well as the Investigating Officer, Sub Inspector Sher Singh, P.S. CWC, Nanakpura.

10. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 28.03.2025:

“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 5/2023 Under Sections 498A/406/34 of the Indian Penal Code registered at P.S. CAW Cell, Nanakpura, Delhi on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. Learned counsel for petitioners submits that P-2 and 3 are present through virtual mode.

3. Vide separate statement recorded in this behalf, P-1 and 4 stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 18.10.2023. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. P-2 and 3 who are appearing through virtual mode state that parties have amicably settled the matter. Vide separate statement recorded in this behalf, R-2 stated that dispute between her and petitioners has been amicably settled as per the settlement deed dated 18.10.2023. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. She has signed the settlement deed with her wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Vide separate statement recorded in this

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behalf. Investigating Officer stated that the charge sheet has been filed in the present matter. He identified the prosecutrix/victim/R-2. He has also identified the petitioners who are accused in the present matter. He has also verified the settlement deed executed between the parties.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 25.04.2025.”

11. The Complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed against the petitioners. She further states that all the terms of the settlement have been complied with.

12. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed.

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

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affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings.”

14. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Abhilasha Singh, Ld. Metropolitan Magistrate, Dwarka Courts, Delhi.

15. In the interest of justice, the petition is allowed, and the FIR No. 0005/2023, under Section 498A/406/34 IPC, registered at PS CAW Cell, Nanakpura, Delhi, and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Abhilasha Singh, Ld. Metropolitan Magistrate, Dwarka Courts, Delhi, is hereby quashed.

16. It is however directed that this order shall not come in the way of the minor child in claiming her rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

17. Petition is allowed and disposed of accordingly.

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

19. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

APRIL 25, 2025/kr/sc

Click here to check corrigendum, if any

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