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

\+ CRL.M.C. 165/2025, CRL.M.A. 866/2025

GAURAV SHARMA & ORS.

.....Petitioner

Through: Mr. Ram Kamal Prasad, Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Shoaib Haider, Ld. APP for the State with SI Manish P.S. Seemapuri.
Ms. Prachi Sharma, Advocate for R-2 with R-2 in person.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% 22.04.2025

1. The present Petition under Section 528 BNSS has been filed on behalf of the petitioners seeking to quash the FIR No. 712/2018 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 at Police Station Seemapuri, Delhi.

2. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 14.02.2015 according to Hindu rites and ceremonies. It is stated that a child was born out of the said wedlock, who is now aged about 8 years. Since 17.11.2016, the parties started residing separately.

3. It is further submitted that on 12.03.2022, on the complaint of respondent No. 2, an FIR bearing No. 712/2018 under Sections 498A/406/34

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of the Indian Penal Code, 1860 got registered at Police Station Seemapuri.

4. It is stated that the respondent No. 1 filed a Complaint under Protection of Women from Domestic Violence Act, 2005 and under Section 25 of Guardianship Act against the petitioners, wherein the petitioners and the respondent No. 2 were referred to the Counsellor, Family Court, Karkardooma, Delhi, where both the parties amicably settled all the disputes and differences *vide* Settlement dated 14.12.2023, and it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No. 1/husband shall pay a sum of Rs. 7,50,000/- to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife. It was agreed that out of Rs.7,50,000/-, Rs.2,50,000/- shall be paid by the Petitioner No.1/husband to Respondent No.2/wife at the time of recording of statement of first motion for dissolution of marriage; Rs.2,50,000/- shall be paid by the Petitioner No.1/husband in favour of minor son Master Saransh with the nomination of mother/wife/Respondent No.2 at the time of recording of statement for second motion.

5. It is further stated that the remaining third instalment of Rs.2,50,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 712/2018. It is also stated that the child shall remain in the custody of Respondent No. 2/wife and Petitioner No.1/husband shall have visitation rights once in a month at the children play room at Karkardooma Court.

6. It is also stated that on 24.09.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

7. In view of the Compromise Deed dated 14.12.2023, the present

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Petition has been filed.

8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. The third instalment of Rs.2,50,000/- has already been paid to the respondent No. 2/wife by the Petitioner No. 1/husband, and the same has been confirmed by the respondent No. 2/wife.

10. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 14.12.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Compromise Deed dated 14.12.2023 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion. The Settlement dated 14.12.2023 is without prejudice to the rights of the child.

12. It is also agreed by the parties that the Respondent No.2/wife shall not refrain the child from meeting the Petitioner No.1/husband in case, he wants to meet him in future, as per the terms of Settlement dated 14.12.2023.

13. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

14. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no

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useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

15. Moreover, there is no legal impediment in quashing the FIR in question.

16. Accordingly, FIR bearing No. 712/2018 registered at Police Station Seemapuri, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

17. The Petition stands disposed of along with pending Application(s).

NEENA BANSAL KRISHNA, J

APRIL 22, 2025/va

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