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

+ **CRL.M.C. 211/2025**

MAMTA

.....Petitioner

Through: **Ms. Aishwarya Rao, Advocate**

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: **Mr. Laksh Khanna, APP for State
with SI Sandeep Kumar, PS:
Ambedkar Nagar
Ms. Pratiksha Sharma, Mr. Ankit
Acharya, Ms. Ritu Chaudhary and
Mr. Mukesh Kumar, Advocates for R-
2 and 8**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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29.04.2025

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) against the impugned order dated 10.09.2024, seeking amendment to the revision petition preferred by the present Petitioner.
2. Petitioner i.e., Ms. Mamta is present in Court and is identified by the learned counsel for the Petitioner and the Investigating Officer ('I.O.').
3. Respondent No. 2 and Respondent No. 8 have joined the proceedings through Video Conferencing (VC) link and are identified by respective counsels and the I.O.
4. Learned counsel for the Petitioner and Respondent Nos. 2 and 8 states



that parties have entered into a Settlement Agreement dated 20.03.2025 ('Settlement Agreement') before the Delhi High Court Mediation and Conciliation Centre, whereby all disputes between the parties have been settled finally and all terms and conditions of the Settlement Agreement have been implemented.

4.1. They state that the disputes between the Petitioner and Respondent No. 2 arise out of matrimonial relationship; however, the marriage now stands dissolved vide final decree of divorce dated 24.04.2025, which has been obtained by the mutual consent.

4.2. Parties jointly pray that this petition, which was initially filed for challenging the order dated 10.09.2024 passed by the Sessions Court in Criminal Revision Petition No. 346/2022 may be converted into a quashing petition and this Court may exercise its jurisdiction under Section 482 Criminal Procedure Code, 1973 (Cr.P.C.) (i.e., Section 528 of BNSS) for quashing FIR No. 883/2015.

5. In reply, Mr. Khanna, learned APP submits that initially the charge-sheet dated 23.01.2017 was filed and ten (10) family members of Respondent No. 2 were arrayed as accused.

5.1. He states that, however, seven (7) persons were discharged by the Trial Court vide order dated 18.02.2021 and charge was only framed against Respondent No. 2, Respondent No. 8 and late Smt. Nanda Devi (mother-in-law).

5.2. He states, however, during the pendency of the trial, late Smt. Nanda Devi has also expired and now the criminal proceedings are only pending qua Respondent No. 2 and Respondent No. 8.

5.3. He fairly submits that there is a precedent, where the High Court had



converted a bail application, where parties had arrived at settlement by exercising its jurisdiction under Section 482 Cr.P.C. and quashed the FIR, with the consent of the parties. He has had handed over a copy of the order dated 14.12.2020 passed by the Co-ordinate Bench in **Ravinder Kumar v. State (BAIL APPLN. 3997/2020)**. He states that in this petition as well, the Petitioner has invoked the jurisdiction of this Court under Section 528 of BNSS, 2023 (482 Cr.P.C.) and therefore the Court can exercise its discretion.

Analysis and Findings

6. This Court has considered the submissions of the parties and perused the record. There is no dispute that the parties have resolved their inter-se disputes and have voluntarily agreed to the quashing of the subject FIR No. FIR No. 883/2015.

7. The Supreme Court in the case of **Jitendra Raghuvanshi & Ors. Vs. Babita Raghuvanshi & Anr.**¹, has opined in respect of the matrimonial disputes that settlement inter se the parties must be encouraged and has specifically held as under:

“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 noncompoundable, 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

¹ (2013) 4 SCC 58.



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)

8. Keeping in view the fact that the parties have arrived at amicable settlement and have taken substantive steps in implementing the settlement, this Court deems it appropriate to exercise its power under Section 482 Cr.P.C. (i.e., Section 528 of the BNSS) and convert the present petition into a petition seeking quashing of FIR as this Court is satisfied that no useful purpose would be served in prosecuting Respondent Nos. 2 and 8 any further.
9. In view of the above, the FIR No. 883/2015 for offences under Sections 498-A/406/323/34 Indian Penal Code, 1860 (IPC) registered at PS Ambedkar Nagar and proceedings emanating therefrom are quashed.
10. Parties are bound down and shall abide by the terms of Settlement Agreement dated 20.03.2025.
11. The IO is directed to inform the Trial Court with respect to the quashing of the FIR No. 883/2015 and termination of the proceeding.
12. The Registry is directed to release the amount of Rs. 6 lakhs deposited by the Respondent No. 2 with the Registry of this Court, along with interest accrued thereon within two (2) weeks.
13. With the aforesaid directions, the petition stands disposed of.
14. Pending application is disposed of as infructuous.



15. 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.

APRIL 29, 2025/rhc/sk

MANMEET PRITAM SINGH ARORA, J

[Click here to check corrigendum, if any](#)