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

% *Date of Decision: 05.08.2025*

+ **CRL.M.C. 5269/2025 & CRL.M.A. 22752/2025**

CHHAIL BIHARI AND ORSPetitioners

Through: Ms. Vibha Gautam, Advocate

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Ms. Manjeet Arya, APP for the State
with SI Gaurav Yadav
Counsel for R-2 (*appearance not given*) with R-2 in person

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Petitioners seek quashing of FIR No. 417/2022 of PS Nand Nagri for offence under Section 498A/406/34 IPC on the ground that complainant *de facto* (*respondent no.2*) has settled the disputes with the petitioners.
2. The respondent no. 2, present in court with her counsel and identified by IO/SI Gaurav accepts notice. Learned APP also accepts notice.
3. Keeping in mind the socio-economic and educational background of parties, I spoke with them in Hindi. The petitioners are in-laws of respondent no. 2. Husband of respondent no. 2 is stated to have passed



away. The respondent no. 2, who is bringing up two children states that neither any maintenance/alimony nor any amount towards her *stridhan* nor even any maintenance of minor children has been settled. This is explained by the counsel for petitioners stating that the petitioners filed a complaint case against respondent no. 2 for offence under Section 306 IPC, alleging that the husband of respondent no. 2 committed suicide and that complaint case has been withdrawn.

4. It is quite strange that having lodged a complaint under Section 306 IPC, family members of the deceased would withdraw the same. If that complaint was truthful, burying the matter would be injustice to the person who lost his life. Such kind of bartering of prosecutions is certainly an abuse of process of the Court, which cannot be sanctified by invoking inherent powers, that too when minor children of the deceased are left without their future being secured.

5. In view of the aforesaid, I am not satisfied that it would be in the interest of justice to quash the subject FIR and the consequent proceedings. The petition and the pending application are dismissed.

GIRISH KATHPALIA
(JUDGE)

AUGUST 5, 2025
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