



2025:DHC:5177



\$~28

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

Date of Decision: 02.07.2025

+ CRL.M.C. 3876/2025, CRL.M.A. 16936/2025

MANISH PANDEY & ORS.

.....Petitioners

Through: Ms. Mukta Sharma, Adv. with
petitioners in person.

versus

STATE GNCT OF DELHI & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP
for State with W/SI Manish, Ps
Mandawali.
Mr. Kapil Anand, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition is filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR bearing No. 627/2022 dated 23.09.2022 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 at Police Station Mandawali Fazalpur, East Delhi, and all consequential proceedings emanating therefrom.

2. The learned counsel for the petitioners submits that petitioner



2025:DHC:5177



no. 1, petitioner no. 2 and petitioner no. 3 are the husband, brother-in-law and mother-in-law, respectively, of the respondent no. 2. The marriage between the petitioner no. 1 and the respondent no. 2 was solemnized on 28.06.2012, in accordance with the Hindu rites and customs at Delhi and a male child, namely, Kartikay Pandey was born out of the said wedlock. He submits that due to the irreconcilable and temperamental differences, the marriage of the petitioner no.1 and the respondent no. 2 has suffered an irretrievable breakdown and the parties have been living separately since April, 2018.

3. The learned counsel submits that the incompatible behaviour, conduct and temperament of the parties, coupled with raising demands of dowry and increasing harassment, led to registration of the subject FIR and filing of litigation by the respondent no. 2.

4. He further submits that during the pendency of litigation between the parties, the parties were referred to the Counselling Cell at Karkardooma Court, Delhi, wherein, with the intervention of the family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of their disputes and that no further dispute subsists in relation thereto. Moreover, the divorce by way of mutual consent has also taken place between the parties *vide* the divorce decree dated 23.07.2024 passed by the learned Principal Judge, Family Court, Karkardooma Court, Delhi and no appeal is stated to have been filed from the divorce decree.

5. The present petition is premised on the aforesaid assertion that



2025:DHC:5177



the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Memorandum of Understanding/Settlement Deed dated 06.07.2023 has been duly executed between the petitioner no. 1 and the respondent No. 2. It is further submitted that, in terms of the said Settlement/MoU, respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

6. As per the terms of Settlement, it was further agreed that male child shall remain in the custody of the father and the mother shall have no visitation rights. The respondent no. 2 has also given up the maintenance or any kind of alimony. The Settlement Deed dated 06.07.2023 outlining the terms of settlement has been placed on record.

7. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 28.05.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in his statement before the Joint Registrar (Judicial), has stated therein, that she has no objection if the subject FIR and all the proceedings emanating therefrom are quashed.

8. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.



2025:DHC:5177



9. The complainant/respondent no. 2, who is present-in-person before this Court, upon being queried, confirms that the Settlement Deed dated 06.07.2023 has been entered into between the parties and she has given up all her claims pertaining to maintenance or any kind of alimony. The respondent no. 2 also confirms that the marriage has been dissolved *vide* the decree dated 23.07.2024 and that the male child, namely, Kartikay shall remain in custody of petitioner no. 1 and she shall have no visitation rights. Furthermore, no litigation stand pending between the parties and she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

10. In view of the foregoing, the learned counsels of the parties, jointly prayed, for quashing of the subject FIR.

11. The learned APP, appearing on behalf of the State, submits that there is no objection is the subject FIR and all consequential proceedings arising therefrom are quashed.

12. In these circumstances, and having regard to the principles laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 and *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, and in view of the fact that the parties have amicably resolved their disputes voluntarily and without any coercion, this Court is of the considered opinion that no useful purpose would be served by continuing with the criminal proceedings. On the contrary, such continuation is likely to foster further animosity between the parties. Accordingly, in the interest of justice, the subject



2025:DHC:5177



FIR and all proceedings emanating therefrom deserve to be quashed.

13. In conspectus of the above facts and the Settlement Deed dated 06.07.2023, the subject FIR bearing No. 627/2022 dated 23.09.2022 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 at Police Station Mandawali Fazalpur, East Delhi, and all consequential proceedings emanating therefrom, are hereby quashed.

14. The present petition and pending application are, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

JULY 02, 2025/SU/KP

Click here to check corrigendum, if any