



2025:DHC:5179



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

% **Date of decision: 02.07.2025**

+ CRL.M.C. 3910/2025, CRL.M.A. 17069/2025

AJAY KUMAR

.....Petitioner

Through: Mr. Rajneesh Bhaskar, Adv.
with petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP for
State with SI Bharat Singh, PS
Uttam Nagar.
Ms. Jahanvi Warah and Mr.
Rajat Oswal, Advs. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of the FIR No. 646/2019 dated 01.11.2019 for offences punishable under Sections 406 and 498A of the Indian Penal Code, 1860 ('IPC'), registered at Police Station Uttam Nagar, District Dwarka, Delhi ("subject FIR") and all consequential proceedings arising therefrom.



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2. The learned counsel for the petitioner submits that the petitioner is the husband of respondent No. 2. Their marriage was solemnized on 18.04.2012 as per the Hindu rites and ceremonies and two male children were born out of this wedlock.

3. He submits that due to temperamental differences between the petitioner and respondent no. 2, they started living separately on 30.03.2019. On the complaint of respondent No.2, the subject FIR was registered against the petitioner, and a charge-sheet under Sections 406 and 498A of the IPC was filed before the learned Trial Court.

4. The learned counsel further submits that with the intervention of the family members and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of their dispute, and no further dispute subsists between the parties in relation thereto.

5. The present petition is premised on the assertion that the dispute *inter se* the parties stands amicably resolved, of their own volition, uninfluenced by any coercion, compulsion, or undue inducement. In furtherance thereof, a Settlement Deed dated 16.05.2025 has been duly executed between the petitioner and respondent No.2. It is submitted that in terms of the said Settlement Deed, the parties have undertaken to withdraw all proceedings pending before various judicial fora. The Settlement Deed outlining the terms of settlement has been placed on record.

6. The learned counsel for the petitioner submits that on 16.05.2025, the petitioner and respondent No.2 have compromised all their disputes in the presence of their family members and relatives,



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and have opted to maintain their matrimonial relationship.

7. It is submitted that respondent No.2 has already joined the company of the petitioner in her matrimonial house and now the parties are happily and peacefully cohabiting together as husband and wife for the past 2 and a half years in their matrimonial house, along with their children.

8. Pursuant to the Settlement, the Statements of the parties have been recorded by the Joint Registrar (Judicial) on 29.05.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in her statement before the Joint Registrar (Judicial), has stated therein that she has no objection if the subject FIR and all the consequential proceedings emanating therefrom are quashed.

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

10. The complainant/respondent No. 2, who is present in court, upon being queried, confirms that she has settled all her disputes with the petitioner *vide* the Settlement Deed dated 16.05.2025 out of her free will, without any coercion, force or undue influence, and she is happily living with the petitioner. Furthermore, she submits that there are no disputes with the petitioner and she has no objection if the subject FIR and all consequential proceedings emanating therefrom are quashed.

11. In view of the foregoing, the learned counsels for the parties



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jointly pray for quashing of the subject FIR.

12. The learned APP appearing on behalf of the state submits that there is no objection if the subject FIR is quashed.

13. In view of these circumstances, in line with the law laid down by the Supreme Court *in Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

14. In conspectus of the above facts and the Settlement Deed dated 16.05.2025, the subject FIR No. 646/2019 dated 01.11.2019 for offences punishable under Sections 498A and 406 of the Indian Penal Code, 1860 registered at Police Station Uttam Nagar, District Dwarka, Delhi and all consequential proceedings emanating therefrom, are hereby quashed.

15. The present petition and pending applications are, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

JULY 02, 2025/SU/HNR

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