



2025:DHC:5628



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

**Date of Decision: 15.07.2025**

+ CRL.M.C. 4586/2025

SH VINAY MISHRA & ORS.

.....Petitioners

Through: Mr. Pankaj Mishra, Adv.

versus

STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP for  
State with Insp. Suruti, PS  
Uttam Nagar.

Mr. Pankaj Mishra, Adv. for R-  
2.

**CORAM:**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**SHALINDER KAUR, J (ORAL)**

**CRL.M.A. 19958/2025 (Exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**CRL.M.C. 4586/2025, CRL.M.A. 19959/2025**

3. The present petition has been filed on behalf of the petitioners, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR bearing No. 817/2020 dated 23.10.2020 for



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offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Dabri, New Delhi, (“subject FIR”) and all consequential proceedings emanating therefrom.

4. The learned counsel for the petitioners submits that petitioner no. 1 is the husband of the respondent no. 2 and their marriage was solemnized on 24.05.2014, in accordance with the Hindu rites and customs at Amethi, Uttar Pradesh. One girl child was born, on 07.01.2016. out of the wedlock and is in the custody of the mother/respondent no. 2. 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 17.11.2017.

5. 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.

6. He further submits that during the pendency of litigation between the parties, with the intervention and efforts of the relatives and well wishers, the parties had voluntarily, peacefully and amicably settled their disputes before the Counselling Cell, Dwarka Court, New Delhi on 13.05.2022 without any coercion, pressure, undue influence force 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 16.11.2023 passed by the learned



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Principal Judge, Family Court, Dwarka Court, New Delhi and no appeal is stated to have been filed from the said divorce decree.

7. The present petition is premised on the aforesaid assertion that 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 Settlement Deed dated 13.05.2022 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, the respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

8. As per the terms of Settlement, the petitioner no. 1 has agreed to pay a sum of Rs. 6,25,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), permanent alimony, *stridhan* and all other miscellaneous expenses. It is further agreed that the girl child will remain in custody of respondent no. 2 and the petitioner shall have visitation rights, to visit his daughter once a year at a mutually agreed place. The said Counselling Cell Settlement Deed dated 13.05.2022 outlining the terms of settlement has been placed on record.

9. Pursuant to the said settlement, the parties appeared before this Court, wherein, the Investigating Officer has duly identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

10. The complainant/respondent no. 2, who is present-in-person



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before this Court, upon being queried, confirms that the Counselling Cell Settlement Deed dated 13.05.2022 has been entered into between the parties and that in full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, dowry, articles, jewellery, permanent alimony etc., she has received the entire settlement amount of Rs. 6,25,000/- from the petitioner no. 1. The respondent no. 2 also confirms that the marriage has been dissolved *vide* the decree dated 07.10.2023 and that no litigation stand pending between the parties. She further states that as per the settlement, one girl child shall remain in the custody of the mother/respondent no. 2 and the father/petitioner no. 1 will have visitation rights to meet the daughter once in a year at a mutually agreed place and time. Furthermore, she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed

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

12. 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.

13. 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



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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 FIR and all proceedings emanating therefrom deserve to be quashed.

14. In conspectus of the above facts and the Counselling Cell Settlement Deed dated 13.05.2022, the subject FIR bearing No. 817/2020 dated 23.10.2020 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Dabri, New Delhi, and all consequential proceedings emanating therefrom, are hereby quashed.

15. The present petition along with pending application is, accordingly, disposed of, in the aforesaid terms.

**SHALINDER KAUR, J**

**JULY 15, 2025/SU/KP**