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

Date of Decision: 18.07.2025

+ CRL.M.C. 4732/2025, CRL.M.A. 20492/2025

RAJESH @ RAJESH KUMAR & ORS.

.....Petitioners

Through: Mr. Manoj Kumar Sharma,
Adv. along with petitioners.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Raghuinder Verma, APP
for State with SI Nitin Kumar,
PS Harsh Vihar.
Respondent no. 2 in person.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR bearing No. 196/2023 dated 09.03.2023 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and Sections 3/4 of the Dowry Protection Act, 1961 registered at Police Station Harsh Vihar, and all consequential proceedings emanating therefrom.

2. The learned counsel for the petitioners submits that petitioner no. 1, petitioner no. 2 and petitioner no. 3 are the husband, brother-in-



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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 03.02.2020, in accordance with the Hindu rites and customs at Delhi and no child 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 Delhi Mediation Centre 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 25.04.2025 passed by the learned Judge, Family Court-01, Shahdara District, 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 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 Mediation Settlement Deed



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dated 18.02.2025 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, the petitioner no.1 has agreed to pay a total sum of Rs. 3,70,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, permanent alimony, in three (03) instalments along with all articles of respondent no. 2. The said Mediation Settlement Deed dated 18.02.2025 embodying the terms of settlement has been placed on record.

7. Pursuant to 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.

8. The respondent no. 2, who is present in Court, upon being queried, submits that she entered into the said Mediation Settlement Deed out of her free will, without any coercion, force or undue influence and that she has withdrawn the litigations filed by her before different Judicial fora and no other litigation remains pending between the parties. She confirms that she has received the entire settlement amount in three instalments in cash and nothing remains due towards the petitioners. Furthermore, she submits that the marriage has been dissolved *vide* the decree dated 25.04.2025 and has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.



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9. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

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

11. 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 FIR and all proceedings emanating therefrom deserve to be quashed.

12. In conspectus of the above facts and the Mediation Settlement Deed dated 18.02.2025, the subject FIR bearing No. 196/2023 dated 09.03.2023 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and Sections 3/4 of the Dowry Protection Act, 1961 registered at Police Station Harsh Vihar, and all consequential proceedings arising therefrom, are hereby quashed.

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

SHALINDER KAUR, J

JULY 18, 2025/ss/kp