



2025:DHC:5205



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

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Date of decision: 03.07.2025

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CRL.M.C. 4236/2025

AJAY KUMAR JHA

.....Petitioner

Through: Mr. Ashwani Kumar, Adv.
along with petitioner in person.

versus

THE STATE NCT OF DELHI & ANR.

... Respondents

Through: Mr. Hitesh Vali, APP for the
State with SI Sanjeev Khokhar,
Main IO and SI Mamta, PS-
Dabri.
Respondent no.2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0492/2018, dated 11.09.2018, registered at P.S Dabri under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner and Respondent No.2 was solemnized on 21.04.2014 as per Hindu rites and ceremonies at Bihar. One boy namely Atharva Jha was born on 13.06.2015 out of the said



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wedlock. It is submitted that due to temperamental differences, the couple started living separately since 05.08.2015. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioner and his family members. The charge sheet was filed under sections 498A/506/406/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 30.01.2025. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court, Dwarka Courts allowed the mutual divorce petition on 21.05.2025, thereby dissolving the marriage between the Petitioner and Respondent No.2. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs.12,00,000/- (Rupees twelve lacs) as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 30.01.2025 has also been placed on record as Annexure P-4.

4. Both parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Sanjeev Khokhar from PS Dabri.



5. Respondent No.2 confirms that the matter has been settled with the petitioner without any force, fear, coercion and today she has received the final installment of Rs.3,00,000/- via DD bearing No. 659175 drawn on Union Bank, Najafgarh Branch towards full and final settlement of all dues as per the schedule mentioned in the Settlement Deed. She further submits that she has no objection if the FIR No. 0492/2018 alongwith charge sheet is quashed against the petitioner.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0492/2018 alongwith charge sheet is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0492/2018, dated 11.09.2018,



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registered at P.S Dabri under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0492/2018, dated 11.09.2018, registered at P.S Dabri under sections 498A/406/34 IPC along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

JULY 03, 2025
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