



2025:DHC:5207



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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. 4261/2025 & CRL.M.A. 18592/2025 EXEMPTION

MUKUL SHARMA AND ORS.

....Petitioners

Through: Mr. Rajesh Rathod, Adv.
Petitioner no.1 in person.
Petitioners nos. 2 and 3 are
present through vc.

versus

STATE & ANR.

... Respondents

Through: Mr. Hitesh Vali, APP for the
State with SI Dilsukh,
K.N.Katju Marg.
Ms. Rekha Aggarwal, Adv. for
R-2 (through vc)
R-2 is present through vc.

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. 0190/2022, dated 12.08.2023, registered at P.S KN Katju Marg under sections



498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between PetitionerNo.1 and Respondent No.2 was solemnized on17.01.2020 as per Hindu rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 04.05.2021. Thereafter, Respondent No.2 lodged the aforesaid FIR against PetitionerNo.1 and his family members.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 24.07.2024. 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, Rohini Courts allowed the mutual divorce petition on 24.02.2025, thereby dissolving the marriage between the Petitioner No.1 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 8,00,000/- (Rupees eight lacs) as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 24.07.2024 has been placed on record as Annexure P-2.



4. Petitioner no.1 is physically present before the Court while petitioner nos. 2 and 3 and respondent no.2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Dilsukh from PS K.N Katju Marg.

5. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 8,00,000/- (Rupees eight lacs) from the Petitioner No.1 as per the schedule mentioned in the Settlement Deed. She further submits that she has no objection if the FIR No. 0190/2022 is quashed against the Petitioner No.1.

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. 0190/2022 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. 0190/2022, dated 12.08.2023, registered at P.S KN Katju Marg 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. 0190/2022, dated 12.08.2023, registered at P.S KN Katju Marg under sections 498A/406/34 IPC 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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