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

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Date of decision: 04.07.2025

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CRL.M.C. 4292/2025 & CRL.M.A. 18833/2025 EXEMPTION

SH GIRI NISH KUMAR ALIAS GIRNESH**ALIAS BOBBY AND ORS**

.....Petitioners

Through: Mr. Hunny Veer Singh and Mr.
Ankit Parindiyal, Adv.
Petitioners in person.

versus

THE STATE OF NCT OF DELHI & ANR. ... RespondentsThrough: Mr. Hitesh Vali, APP for the
State with SI Himani and ASI
Rakesh, P.S.Gandhi Nagar.
Mr. Anurag Ahluwalia,
Advocate for R-2.
R-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. 0011/2020, dated 13.01.2020, registered at P.S Gandhi Nagar under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 09.03.2019 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 16.06.2019. Thereafter, Respondent No.2 filed the following cases against Petitioner No.1 and his family members:

- i. Maintenance case under section 125 Cr.P.C. bearing MT No. 90/2020
- ii. FIR No. 0011/2020, dated 13.01.2020, registered at P.S Gandhi Nagar under sections 498A/406/34 IPC
- iii. Execution petition bearing Ex. CrI No. 298/2022
- iv. Execution petition bearing Ex. CrI No. 395/2023

The Petitioner No.1 filed petition under section 9 of the Hindu Marriage Act, 1955 bearing HMA no. 2167/2023. The charge sheet was filed under sections 498A/406/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 25.09.2024. 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, Karkardooma Courts allowed the mutual divorce petition on 24.10.2024, 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submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 9,00,000/- (Rupees nine lacs) as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 25.09.2024 has been placed on record as Annexure A-4.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officers SI Himani and ASI Rakesh from PS Gandhi Nagar.

5. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received demand draft dated 02.07.2025 bearing no. 815217 drawn at UCO Bank, Delhi High Court Branch, in the sum of Rs.3,00,000/- (Rupees three lacs) towards full and final settlement of all dues from the Petitioner as per the Settlement Deed. She further submits that she has no objection if the FIR No. 0011/2020 is quashed.

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. 0011/2020 along with 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. 0011/2020, dated 13.01.2020, registered at P.S Gandhi Nagar under sections 498A/406/34 IPC along with charge sheet and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0011/2020, dated 13.01.2020, registered at P.S Gandhi Nagar under sections 498A/406/34 IPC along with 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 04, 2025

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