



2025:DHC:6465



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

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Date of decision: 05.08.2025

+ W.P.(CRL) 605/2025

ASHISH JAIN & ORS.

.....Petitioners

Through: Mr. Adv. (appearance not given)

P-1, P-2 & P-4 in person.

versus

STATE OF DELHI & ANR.

... Respondents

Through: Mr. Sanjay Lao, Standing Counsel, Ms. Priyam Aggarwal, Adv. Mr. Abhinav Kumar Arya, Adv. Mr. Aryan Sachdeva, Adv. with ASI Om Prakash, PS Paschim Vihar East.

Mr. Avadh Bihari Kaushik, Adv., Mr. Rishabh Kumar, Adv. for R-2.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Article 226 of the Constitution of India Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 0538/2023, dated 29.06.2023, registered at P.S Paschim Vihar East, Delhi under Sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



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2. The marriage between Petitioner No. 1 and Respondent No. 2 was solemnized on 21.06.2022 as per Hindu rites and customs at Uttar Pradesh. Due to temperamental differences Petitioner and Respondent No. 2 started living separately since 10.11.2022. As per averments made in the FIR, Respondent No. 2 was subjected to physical and mental harassment on account of dowry demands by the petitioners. She further submits that she was coerced into undergoing an abortion by the petitioners. Subsequently FIR No. 0538/2023 was lodged at instance of Respondent No. 2 under section 498A/406/34IPC.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Mediation Settlement Deed dated 23.07.2024 at Delhi Mediation Centre, Tis Hazari Courts, Delhi. In respect of the aforesaid settlement, Petitioner No. 1 and Respondent No. 2 have dissolved their marriage by mutual consent on 27.11.2024. It is submitted that all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 50,00,000/- (Rupees Fifty Lacs only) as per the schedule mentioned in the Settlement Deed. Copy of the Mediation Settlement Deed dated 23.07.2024 has been annexed as Annexure P-2

4. Petitioner No. 1, 2 & 4 as well Respondent No. 2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer ASI Om Prakash, from PS Paschim Vihar East.



5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has no objection if the FIR No. 0538/2023 is quashed against the Petitioners.

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. 0538/2023 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. 0538/2023, dated 29.06.2023, registered at P.S Paschim Vihar East, Delhi under Section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.



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9. In the interest of justice, the petition is allowed, and the FIR No. 0538/2023, dated 29.06.2023, registered at P.S Paschim Vihar East, Delhi under section 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

August 05, 2025

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