



2025:DHC:5310



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

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Date of decision: 07.07.2025

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W.P.(CRL)2032/2025

GULSHAN KUMAR BATRA &amp; ORS. ....Petitioners

Through: Mr. Neeraj Rana, Advocate.

All petitioners are physically present.

versus

THE STATE (NCT OF DELHI) &amp; ANR. ... Respondents

Through: Mr. Sanjay Lao, Standing Counsel with Mr. Praiyam Aggarwal and Mr. Abhinav Kumar Arya, Advocates for State.

Mr. Sachin Kaushik, Advocate for R-2.

R-2 in person.

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

1. This is a writ petition under Article 226 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0034/2020, dated 28.01.2020, registered at P.S Seelampur 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 29.04.2016 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 10.04.2018. Thereafter, Respondent No.2 filed the following cases against the petitioners:

- i. FIR No. 0034/2020, dated 28.01.2020, registered at P.S Seelampur under sections 498A/406/34 IPC
- ii. Petition under section 12 DV Act
- iii. Execution petition bearing Ex. No. 214/23
- iv. Petition under section 125 Cr.P.C. bearing Mt. no. 218/18

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 19.07.2024. 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, Karkardooma Courts allowed the mutual divorce petition on 14.02.2025, 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs.7,70,000/- (Rupees seven lacs seventy thousand) as per the schedule mentioned in the Settlement Deed. The



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copy of Settlement Deed dated 19.07.2024 has been placed on record as Annexure B.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer from PS Seelampur.

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. 7,70,000/- (Rupees seven lacs seventy thousand) 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. 0034/2020 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. 0034/2020 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



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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. 0034/2020, dated 28.01.2020, registered at P.S Seelampur 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. 0034/2020, dated 28.01.2020, registered at P.S Seelampur 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 07, 2025**

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