



2025:DHC:6566



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

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Date of decision: 07.08.2025

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CRL.M.C. 5341/2025 & CRL.M.A. 23017/2025 EXEMPTION

RAHUL KUMAR & ORS.

.....Petitioners

Through:

Mr. Vinod Pal and Ms.
Akanksha Rathore, Advs.
Petitioners no.1 and 3 in person.

versus

STATE NCT OF DELHI & ANR. ... Respondents

Through:

Mr. Hitesh Vali, APP with SI
Mahavir Singh, P.S.New
Friends Colony.
Mohd. Musharraf, Adv. for R-2.
With 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, seeking quashing of FIR No. 079/2023, dated 20.02.2023, registered at P.S New Friends Colony, Delhi 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 solemnized on 19.11.2018 as per Hindu rites and ceremonies at Delhi. A boy child was born out of the said wedlock. Due to temperamental differences Petitioner No. 1 and Respondent No. 2 started living separately since 15.06.2022. 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. Chargesheet has since been filed under section 498A/406/323/506/34 IPC.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 30.08.2024. It is submitted that in terms of settlement Parties have dissolved their marriage by mutual consent on 05.03.2025. It is submitted that petitioner has paid the total settlement amount of Rs. 30,000/- (Rupees thirty thousand only) as per the schedule in settlement. It is further agreed that the custody of the child would be with Petitioner No. 1 and Respondent No. 2 would have visitation rights four times a year. Copy of the Memorandum of Understanding dated 26.04.2025 has been annexed as Annexure P-3 (Colly).

4. Petitioner No. 1 & 3 and Respondent No. 2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Mahavir Singh from PS New Friends Colony.



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. 079/2023 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. 079/2023 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. 079/2023, dated 20.02.2023, registered at P.S New Friends Colony, Delhi under section



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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. 079/2023, dated 20.02.2023, registered at P.S New Friends Colony, 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 07, 2025
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