



2025:DHC:5452



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

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Date of decision: 10.07.2025

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CRL.M.C. 8290/2024

PRAKASH CHAND & ANR.

.....Petitioners

Through: Mr. Swapanam Singh,
Advocate along with petitioner
No. 1 in person
Mr. Priyvratt Singh, Ms. Shivani
Bansal along with petitioner
No. 2 in person

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Aman Usman, APP for the
State with SI Ridhima, PS
Model Town
R-2 is present 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. 0739/2023, dated 28.12.2023, registered at P.S Model Town 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 29.04.2016 as per Hindu rites and ceremonies at Delhi. Two children namely Ritika and Manan were born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 14.07.2023. Thereafter, Respondent No.2 filed the following cases against Petitioner No.1 and his family members:

- i. FIR No. 0739/2023, dated 28.12.2023, registered at P.S Model Town under sections 498A/406/34 IPC
- ii. Complaint case under section 12 of DV Act bearing Ct. case no. 1236/2023
- iii. Petition under section 9 of HMA bearing HMA no. 2876/2023

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 16.01.2024. In pursuance of the Settlement, the parties jointly filed a petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court, Rohini Courts allowed the first motion of mutual divorce petition on 02.08.2024. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement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. The copy of Settlement Deed dated 16.01.2024 has been placed on record as Annexure P-5.

4. The parties are physically present before the Court and have been identified by their respective counsels as well as by the Investigating Officer SI Ridhima, from PS Model Town.

5. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has no objection if the No. 0739/2023 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 No. 0739/2023 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."



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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. 0739/2023, dated 28.12.2023, registered at P.S Model Town 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. 0739/2023, dated 28.12.2023, registered at P.S Model Town 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 10, 2025

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