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

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Date of decision: 11.07.2025

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CRL.M.C. 4534/2025

MS. SUSHILA BARI & ANR.

.....Petitioners

Through: Mr. Kuldeep Soni and Mr.
Akshat Chauhan, Advs.
Petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

... Respondents

Through: Mr. Satinder Singh Bawa, APP
for the State with SI Jaiveer
Kumar, P.S.Palam Village.
Mr. Dhruv Sharma, Adv. for R-
2.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

CRL.M.A. 19762/2025 DELAY 91 DAYS IN RE- FILING

For the reasons explained in the application, delay of 91 days in refilling the petition stands condoned.

The application stands disposed of.



CRL.M.C. 4534/2025

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0369/2020, dated 13.05.2020, registered at P.S Palam Village 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 28.02.2019 as per Hindu rites and ceremonies. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 16.04.2019. Thereafter, Respondent No.2 filed the following cases against Petitioner No.1 and his family members:

- i. FIR No. 0369/2020, dated 13.05.2020, registered at P.S Palam Village under sections 498A/406/34 IPC
- ii. Complaint case under section 12 of DV Act bearing Ct. case no. 23415/2019
- iii. Maintenance case under section 125 Cr.P.C. bearing Mt. case no. 719/2021
- iv. Execution petition bearing Ex. Crl. No. 344/2022

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 28.08.2024 before



Delhi Mediation Centre, Dwarka. 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, Dwarka Courts allowed the mutual divorce petition on 10.12.2024, thereby dissolving the marriage between the Petitioner 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. 5,00,000/- (Rupees five lacs) and articles as per Annexure 'A' mentioned in the Settlement Agreement dated 28.04.2024 as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed has been placed on record as Annexure P-4.

4. Both parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Jaiveer Kumar, from P.S.Palam Village.

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. 5,00,000/- (Rupees five lacs) 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. 0369/2020 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. 0369/2020 alongwith 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. 0369/2020, dated 13.05.2020, registered at P.S Palam Village 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. 0369/2020, dated 13.05.2020, registered at P.S Palam Village under sections 498A/406/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.



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10. Petition is allowed and disposed of accordingly.
11. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

JULY 11, 2025

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