



2025:DHC:9085



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 13.10.2025

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CRL.M.C. 4433/2025

AMIT KAPANIA AND ORS.

.....Petitioners

Through: Ms. Koshina Arora, Ms. Kiran,
Ms. Shrishti Sinha, Advocates
with petitioner no. 1 in person
& petitioner nos. 2-6 through
VC.

versus

THE STATE (NCT OF DELHI) AND ANR.Respondents

Through:

Ms. Manjeet Arya, APP with SI
Kanhaiyalal, PS Geeta Colony.
Mr. Kartik Gulati, Advocates
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. 63/2019, dated 08.04.2019, registered at P.S Geeta Colony, District Shahdara, Delhi under Sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix giving rise to the instant case is that the marriage between Petitioner No. 1 and Respondent no. 2/complainant



2025:DHC:9085



was solemnized on 19.01.2014 as per Hindu Rites and ceremonies at New Delhi. No child was born out of the said wedlock. Due to temperamental differences, petitioner no. 1 and respondent no. 2 started living separately since 11.07.2018.

3. 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 sections 498A/406/34 IPC against the petitioners.

4. During the course of proceedings, the parties amicably resolved their disputes before Delhi Mediation Centre, Karkardooma Courts, Delhi and the terms of settlement were written in the form of a Settlement dated 19.07.2024. It is submitted that petitioner no. 1 and respondent no. 2 have obtained divorce by mutual consent on 23.01.2025 and petitioner no. 1 has paid the entire settlement amount of Rs. 10,00,000/- (Rupees Ten Lacs only) to respondent no. 2 as per the schedule in the settlement. Copy of the Settlement dated 19.07.2024 has been annexed as Annexure P-2.

5. Petitioner no. 1 and Respondent no. 2 are physically present whereas Petitioner nos. 2 to 6 are present through VC before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Kanhaiyalal, from PS Geeta Colony.

6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she



has received the entire settlement amount and has no objection if the FIR 63/2019 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 63/2019 is quashed.

8. Hon'ble Supreme Court has recognized the need of amicable settlement of disputes in *Rangappa Javoor vs The State Of Karnataka And Another*, Diary No. 33313/2019, 2023 LiveLaw (SC) 74, *Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr.*, (2013) 4 SCC 58 & in *Gian Singh vs State of Punjab* (2012) 10 SCC 303.

9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon *B.S. Joshi v. State of Haryana*, (2003) 4 SCC.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any



2025:DHC:9085



coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

11. In the interest of justice, the petition is allowed, and the FIR No. 63/2019, dated 08.04.2019, registered at P.S Geeta Colony, District Shahdara, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

October 13, 2025

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