



2025:DHC:5619



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 15.07.2025

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CRL.M.C. 4576/2025

ANIRUDH DAWAR &ORS.

.....Petitioners

Through: Mr. Arjun Sharma, Ms. Somyashree, Advs along with Petitioners in person.

versus

STATE& ANR

... Respondents

Through: Mr. Satinder Singh Bawa, APP for State with ASI Sunil Kumar, PS- CR Park.
ASI Naveen Kumar, PS-Saket.
Mr. K. Rajat, Mr. Sunil Manchanda and Mr. Akhil Mann, Advocates for R-2.
Respondent No. 2 is present through VC.

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

1. This is a petition under Section 528 of the BharatiyaNagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0133/2023, dated 13.04.2023 registered at P.S Saket, New Delhi under sections 323/341/506/509/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. Marriage between Petitioner No.1 and Respondent No. 2 solemnized on 08.12.2010 at Delhi. A female child was born from the



2025:DHC:5619



wedlock on 05.10.2017, who is currently in custody and care of Respondent No. 2. It is submitted that due to temperamental issues Petitioner No. 1 and Respondent No. 2 started living separately since 11.05.2022. It is further submitted that on 07.02.2023 Respondent No. 2 was subject to physical assaults and mental harassment by the Petitioner No. 1 (husband), Petitioner No. 2 (father in law) and Petitioner No. 3 (brother in law) during a court mandated mediation session at Saket Courts, New Delhi wherein she sustained injuries on her wrist. Thereafter, Respondent No. 2 following cases against Petitioners:

- i. FIR No. 0133/2023, dated 13.04.2023, at P.S Saket, New Delhi under sections 323/341/506/509/34 IPC.
- ii. HMA No. 32/2022 titled as "*Smriti Khosla v. Anirudh Dawar*", under section 13(1)(ia) HMA, 1955.
- iii. FIR No. 319/2022, under sections 498A/406/377/34 IPC, registered at PS Chitranjan Park, New Delhi.
- iv. CIS-SC No. 76/2023 titled as "*State v. Anirudh Dawar*" of FIR 689/2022 registered at PS Malviya Nagar.
- v. DV Case CC No. 1121/23 titled as "*Smriti Khosla v. Anirudh Dawar & Ors*".
- vi. CRMC 6991/2023 & CRMC 6994/2023 titled as "*Mrs. S v. Govt of NCT of Delhi & Anr*".
- vii. CRMC 2192/2023 titled as "*Smriti Khosla v. State of NCT of Delhi & Anr*".



2025:DHC:5619



3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Agreement dated 21.08.2024. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) & 13B(II) of the Hindu Marriage Act, 1955. The learned Family Court, Saket Courts allowed the First Motion petition on 10.09.2024. It is further submitted that Respondent No. 2 has all rights to take all decisions concerning the right of the minor daughter and she would not claim inheritance/ assets/ amounts in Bank account from Petitioner No. 1 and that all the joint accounts being operated between Respondent No. 2 and Petitioner No. 1 shall be closed. The copy of Settlement Agreement dated 21.08.2024 has been placed on record as Annexure A-2.

4. Petitioners are physically present before the Court while respondent No. 2 has entered her appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer ASI Naveen Kumar, from PS Saket and ASI Sunil Kumar from PS-CR Park.

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. 0133/2023 registered against the petitioner is quashed.



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. 0133/2023 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. 0133/2023, dated 13.04.2023, registered at P.S Saket, New Delhi under sections 323/341/506/509/34 IPC and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0133/2023, dated 13.04.2023, registered at P.S Saket, New Delhi under sections 323/341/506/509/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

10. Petition is allowed and disposed of accordingly.



2025:DHC:5619



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

RAVINDER DUDEJA, J

JULY 15, 2025

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HIGH COURT OF DELHI



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