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

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Date of decision: 17.07.2025

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CRL.M.C. 4690/2025 & CRL.M.A. 20351/2025 EXEMPTION

SHARAD VAID AND ANR.

.....Petitioner

Through: Mr. Madhav Chaudhary and
Mr. Sandeep Shokeen, Advs.
Petitioner no.1 in person
Petitioner no.2 is present
through vc.

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Satinder Singh Bawa, APP
with SI Rinku Kumar,
P.S.Janakpuri.
Mr. R.K.Singh and Ms.Nivedita
Singh, Advs. for R
2/complainant.
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. 318/2017, dated 10.10.2017, registered at P.S Janakpuri, Delhi under sections



498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. On 06.03.2011 the marriage between Respondent No. 2 and Petitioner No. 1 solemnized according to Hindu rites at Delhi. A male child namely Adeesh Vaid was born out of the said wedlock on 03.04.2013. It is submitted that due to some temperamental issues Respondent No. 2 and Petitioner No. 1 started living separately since 27.03.2016. As per allegations, Respondent No. 2 was subjected to cruelty, mental and physical harassment on account of dowry demands by the petitioners. FIR No. 318/2017, dated 10.10.2017 was registered at P.S Janakpuri, Delhi under sections 498A/406/34 IPC. Chargesheet has been filed against the petitioners on 26.04.2018.

3. During the proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 30.11.2019. In pursuance of the settlement Petitioner No. 1 and Respondent No. 2 filed divorce petition under Section 13-B(1) of the Hindu Marriage Act, 1955 and the Ld. Principal Judge, Family Court, Dwarka Courts, New Delhi allowed the mutual divorce petition on 15.10.2022, thereby dissolving the marriage between the Petitioner No. 1 and Respondent No.2. It is submitted that all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 17,00,000/- (Rupees seventeen lacs)



as per the schedule mentioned in the Settlement Deed. It is further submitted that the child is in custody of Respondent No. 2 and neither the petitioners nor their families/ relatives shall have visitation rights to meet the child. The copy of Memorandum of Understanding dated 30.11.2019 has been placed on record as Annexure P-1.

4. Petitioners no. 1 and respondent no.2 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 SI Rinku Kumar from PS Janakpuri.

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. 318/2017 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. 318/2017 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. 318/2017, dated 10.10.2017, registered at P.S Janakpuri, Delhi 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. 318/2017, dated 10.10.2017, registered at P.S Janakpuri, Delhi 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 17, 2025

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