



2025:DHC:5769



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

% Date of decision: 18.07.2025

+ CRL.M.C. 2915/2025 & CRL.M.A. 12999/2025

AVINASH SURI & ORS.Petitioners

Through: Petitioners in person.

versus

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

Through: Mr. Sunil Kumar Gautam, APP
with WSI Saroj, PS-Rajouri
Garden.
Insp. Ajay.
Mr. Anuj Kumar and Mr. Nitin,
Advocates.

Respondent No. 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. 0109/2019, dated 20.03.2019, registered at P.S Rajouri Garden, Delhi under Sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. On 22.01.2018, the marriage between Petitioner No. 1 and Respondent No. 2 solemnized as per Hindu rites and ceremonies at



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Delhi. Due to temperamental differences Petitioner No. 1 and Respondent No. 2 started living separately since 02.08.2018. Respondent No. 2 alleged that she was subjected to mental and physical harassment, dowry demands, threats, and eviction from the matrimonial home by Petitioners. Thereafter, Respondent No. 2 got registered FIR No. 0109/2019, dated 20.03.2019, at P.S Rajouri Garden, Delhi under section 498A/406/34 IPC. Chargesheet dated 01.07.2019 has been filed under section 498A/406/34 IPC against the Petitioners.

3. During the proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 10.01.2025. In pursuance of the settlement Petitioner No. 1 and Respondent No. 2 filed divorce petition under Section 13-B(i)/(ii) of the Hindu Marriage Act, 1955 and the Ld. JFC, West Distt., Tis Hazari Courts, New Delhi allowed the mutual divorce petition bearing HMA No. 524/2025 on 03.03.2025, 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. 16,00,000/- (Rupees sixteen lacs only) as per the schedule mentioned in the Settlement Deed. The copy of Memorandum of Understanding dated 01.10.2024 has been placed on record as Annexure P-3.



4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer WSI Saroj, from PS Rajouri Garden.

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. 0109/2019 is quashed against the Petitioner.

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. 0109/2019 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. 0109/2019, dated 20.03.2019,



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registered at P.S Rajouri Garden, Delhi under section 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. 0109/2019, dated 20.03.2019, registered at P.S Rajouri Garden, Delhi under section 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 18, 2025
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