



2025:DHC:6965



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 18.08.2025

+ W.P.(CRL)1154/2025 & CRL.M.A. 11057/2025 - Exemption
RAHUL AND ORS.PetitionersThrough: Mr. Pankaj Sharma, Mr. Hari
Shankar, Advs.

versus

STATE NCT OF DELHI & ANRRespondents

Through: Mr. Sanjay Lao, Standing
Counsel, Ms. Priyam Aggarwal,
Mr. Abhinav Kumar Arya, Mr.
Aryan Sachdeva, Advs with SI
Suneel Kumar Arya, PS
Begampur.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 13/2024, dated 04.01.2024, registered at P.S Begampur, 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 was solemnized on 14.02.2010 as per Hindu Rites and ceremonies at



Delhi. Three children were born out of the said wedlock. It is pertinent to mention that the third child was born after the registration of the present FIR. However, on account of temperamental differences Petitioner No. 1 and Respondent No. 2 are living separately.

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. She further submits that petitioners sexually harassed her by inappropriate touching and passing offensive remarks and upon her refusal threats to her and her children were issued. FIR No. 13/2024 was lodged at instance of Respondent No. 2 at PS Begampur under section 498A/406/34 IPC against the petitioners.

4. During the course of proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 02.04.2025. Petitioner No. 1 and Respondent No. 2 have started living together, w.e.f. 16.03.2024, alongwith their minor children. Copy of the Memorandum of Understanding dated 02.04.2025 has been annexed as Annexure B.

5. Petitioner no. 1 and Respondent no. 2 are physically present before the Court while other petitioners have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Suneel Kumar Sahu, from PS Begampur.



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6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has been living with petitioner no. 1 since 16.03.2024 and has no objection if the FIR No. 13/2024 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. 13/2024 is quashed.

8. In ***Rangappa Javoor vs The State Of Karnataka And Another, Diary No. 33313/2019, 2023 LiveLaw (SC) 74***, Hon'ble Supreme Court has recognized the need of amicable settlement of matrimonial disputes by observing as under:-

"This court has held that in cases of offences relating to matrimonial disputes, if the Court is satisfied that the parties have genuinely settled the disputes amicably, then for the purpose of securing ends of justice, criminal proceedings inter-se parties can be quashed by exercising the powers under Article 142 of the Constitution of India or even under Section 482 of Code of Criminal Procedure, 1973."

9. 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."

10. In *Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr.*, (2013) 4 SCC 58, Hon'ble Supreme Court has encouraged courts to quash proceedings under section 482 Cr.P.C. in case of settlements in matrimonial disputes to secure the ends of justice, even if offences are non-compoundable by observing as under:-

"15. In our view, it is the duty of the courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase. Even if the offences are non-compoundable, if they relate to matrimonial disputes and the court is satisfied that the parties have settled the same amicably and without any pressure, we hold that for the purpose of securing ends of justice, Section 320 of the Code would not be a bar to the exercise of power of quashing of FIR, complaint or the subsequent criminal proceedings.

16. There has been an outburst of matrimonial disputes in recent times. The institution of marriage occupies an important place and it has an important role to play in the society. Therefore, every effort should be made in the interest of the individuals in order to enable them to settle down in life and live peacefully. If the parties ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law, in order to do complete justice in the matrimonial matters, the courts should be less hesitant in exercising its extraordinary jurisdiction. It is trite to state that the power under Section 482 should be exercised sparingly and with circumspection only when the court is convinced, on the basis of material on record, that allowing the proceedings to continue would be an abuse of the process of the court or that the ends of justice require that the proceedings ought to be quashed. We also make it clear that exercise of such power would depend upon the facts and circumstances of each case and it has to be exercised in appropriate cases in order to do real and substantial justice for the administration of which alone the courts



exist. It is the duty of the courts to encourage genuine settlements of matrimonial disputes and Section 482 of the Code enables the High Court and Article 142 of the Constitution enables this Court to pass such orders.

11. Further, it has been observed in *Narinder Singh v. State of Punjab*, (2014) 6 SCC 466 that:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be



quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.”

12. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the present FIR No. 13/2024, dated 04.01.2024, registered at P.S Begampur, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

13. In the interest of justice, the petition is allowed, and the FIR No. 13/2024, dated 04.01.2024, registered at P.S Begampur, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

August 18, 2025/sk