



2025:DHC:2658



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

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Date of decision: 15.04.2025

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CRL.M.C. 2039/2025

AMIT VERMA & ORS.

....Petitioner

Through: Mr. Waseem Ansari, Adv.

Mr. Amit Verma, Mr. Sumit Verma, Ms. Anita Verma and Ms. Ambika Verma, petitioners in person.

versus

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

... Respondents

Through: Mr. Satinder Singh Bawa, APP for the State with SI Satish Kumar Gautam, PS-Karawal Nagar.

**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, 2023, seeking quashing of FIR No. 432/2016, dated 20.12.2016, P.S Karawal Nagar under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



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2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 16.01.2012 as per Hindu rites and ceremonies at Delhi. Due to temperamental differences, the couple started living separately from 03.03.2013. Thereafter, Respondent No. 2 lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. Subsequently, Petitioner No. 1 and the Respondent No.2 filed a petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. During the proceedings, the parties were referred to mediation by the Family Court, Karkardooma Courts where they amicably resolved their disputes and executed a Settlement Agreement dated 24.08.2024. In pursuance of the Settlement, the parties jointly filed a fresh petition under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court allowed the mutual divorce petition on 03.02.2025, thereby dissolving the marriage. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of settlement have been fulfilled including the payment of entire settlement amount i.e., Rs. 4,11,500/- as per the schedule mentioned in the Settlement Agreement. The copy of Settlement Agreement dated 24.08.2024 has been placed on record as Annexure P-4.

4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-



**“26.03.2025**

1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 787/2018 Under Sections 498A/406/34 of the Indian Penal Code registered at P.S. Karawal Nagar on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 24.08.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between her and petitioners has been amicably settled as per the settlement deed dated 24.08.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. She has signed the settlement deed with her wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Vide separate statement recorded in this behalf. Investigating Officer stated that the charge sheet has been filed in the present matter. He identified the prosecutrix/victim/R-2. He has also identified the petitioners who are accused in the present matter. He has also verified the settlement deed executed between the parties.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and



from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 15.04.2025.

5. Petitioner nos. 1 & 4 are physically present before the Court. The respondent no. 2 is present in person along with her father Sh. Ram Avtar. The counsel for respondent no.2 is not present. The parties have been identified by the counsel for the petitioner as well as by the Investigating Officer SI Satish Kumar Gautam from PS Karawal Nagar.

6. Respondent no. 2 submits that the matter has been settled with the petitioners without any force, fear, coercion and she has received the entire settlement amount i.e., Rs. 4,11,500/- as per the schedule mentioned in the Settlement Agreement dated 24.08.2024. She further submits that she has no objection if the FIR No. 432/2016 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. 432/2016 is quashed.

8. 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



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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."

9. 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. 432/2016, dated 20.12.2016, P.S Karawal Nagar under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 432/2016, dated 20.12.2016, P.S Karawal Nagar under sections 498A/406/34 IPC along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

**RAVINDER DUDEJA, J**

**APRIL 15, 2025/ak/sky**