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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. 8605/2024

SAHITYA SINGH SRIVASTAV & ORS.Petitioners

Through: Mr. Pradeep Tyagi, Ms. Ridam Tyagi, Advocates with petitioner Nos. 1 and 2 in person and petitioner Nos.3 and 4 (through VC).

versus

STATE GOVT. OF NCT
OF DELHI AND ANR.

....Respondents

Through: Ms. Priyanka Dalal, APP with IO (appearance not given).
Ms. Bhavya Bathla, Advocate for R-2 with respondent No.2 (through VC).**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.**

This matter is taken up today as 14.04.2025 was declared holiday on account of Ambedkar Jayanti.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 871/2022, dated



14.06.2022, P.S Rani Bagh under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 14.05.2021 as per Hindu rites and ceremonies at Delhi. No child was born out of the wedlock. Due to temperamental differences, the couple started living separately from 28.08.2021. Thereafter, Respondent No. 2 filed petition under section 12 of the DV Act and also lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. During the proceedings, the parties were referred to mediation by the Family Court, Rohini Courts, Delhi where they amicably resolved their disputes and executed a Settlement Agreement dated 20.07.2024 and a Memorandum of Understanding dated 08.08.2024. 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, Rohini Courts, Delhi allowed the mutual divorce petition on 17.09.2024, 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of settlement have been fulfilled including the payment of entire settlement amount i.e., Rs. 3,00,000/- as per the schedule mentioned in the Settlement



Agreement dated 20.07.2024. The copy of Settlement Agreement dated 20.07.2024 and Memorandum of Understanding dated 08.08.2024 has been placed on record as Annexure P-7 and Annexure P-8 respectively.

4. Petitioner Nos. 1 and 2 are physically present before the Court while petitioner Nos. 3 and 4 and Respondent no. 2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer from PS Rani Bagh.

5. Respondent no. 2 submits that the matter has been settled with the petitioners without any force, fear or coercion and she has received the entire settlement amount i.e., Rs. 3,00,000/- as per the schedule mentioned in the Settlement Agreement dated 20.07.2024. She further submits that her marriage with the Petitioner no.1 has already been dissolved and as such, she has no objection if the FIR No. 871/2022 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. 871/2022 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. 871/2022, dated 14.06.2022, P.S Rani Bagh 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 present FIR No. 871/2022, dated 14.06.2022, registered at P.S Rani Bagh under sections 498A/406/34 IPC along with the charge sheet 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

APRIL 15, 2025/ak