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

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Date of decision: 21.05.2025

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CRL.M.C. 1427/2025, CRL.M.A. 6358/2025

KESHAV DUTT SHARMA & ANR.Petitioners

Through: Mr. Suraj Prakash Sharma,
Advocates with petitioners
(through VC).

versus

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

Through: Mr. Satinder Singh Bawa, APP
with SI Jyoti, PS-S.Rohini.
Mr. A.S. Mann, Advocate with
respondent No. 2 through VC.

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. 0034/2020, dated 17.03.2020, registered at P.S South Rohini 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 02.12.2010 as per Hindu rites and ceremonies at Delhi. No child is born out of the said wedlock. It is submitted that due to



temperamental differences, the couple lived separately since 2017. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioner No. 1 and his family members. The charge sheet was filed under sections 498A/406/323/34 IPC.

3. During the proceedings, the parties were referred to mediation in the court of Mr. Dinesh Bhatt, Ld. Principal Judge, North-West District, Rohini Courts, New Delhi where they amicably resolved their disputes and executed a Settlement Deed dated 28.11.2023. In pursuance of the Settlement, the parties jointly filed a fresh petition for divorce by mutual consent under Section 13B(1) of the Hindu Marriage Act, 1955. The learned Family Court, Rohini Courts allowed the first motion of mutual divorce petition on 12.01.2024. It is submitted that vide order dated 07.09.2024, the second motion of mutual divorce petition was allowed, thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn and all conditions of the Settlement Deed including the payment of Rs. 8,00,000/- (Rupees Eight Lacs) to the Respondent No.2 have been fulfilled as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 28.11.2023 has been placed on record as Annexure A-3.



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

“08.05.2025

Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Petitioner is directed to file second motion proceedings as well as divorce decree before the next date of hearing before Hon'ble Court.

Respondent no. 2 has been identified by his counsel.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on **21st May, 2025**.

5. Petitioners 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 SI Jyoti, from PS S. Rohini.

6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the entire payment of Rs. 8,00,000/- (Rupees Eight Lacs) from the Petitioner No.1. She submits that she has no objection if the FIR No. 0034/2020 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. 0034/2020 alongwith charge sheet 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 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. 0034/2020, dated 17.03.2020, registered at P.S South Rohini under sections 498A/406/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0034/2020, dated 17.03.2020, registered at P.S South Rohini under sections 498A/406/34 IPC alongwith charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.



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

RAVINDER DUDEJA, J

MAY 21, 2025/AK

