



2025:DHC:4438



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

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Date of decision: 27.05.2025

+ CRL.M.C. 157/2025 &amp; CRL.M.A. 849/2025 STAY, CRL.M.A. 850/2025 EXEMPTION FROM FILING CERTIFIED COPIES ETC.

TARUN KUMAR &amp; ORS.

.....Petitioners

Through: Mr. Ishvinder Singh, Adv.  
along with petitioners in person  
through VC.

versus

STATE OF NCT OF DELHI &amp; ANR. ... Respondents

Through: Mr. Satinder Singh Bawa, APP  
for the State with ASI Pushpa  
Rani, PS Najafgarh.  
Ms. Pooja Marwaha & Mr.  
Mohinder Mangla, Advs. for R-  
2 along with R-2 in person  
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. 0175/2023, dated 06.05.2023, registered at P.S Najafgarh 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 19.04.2022 as per Hindu rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 23.08.2022. Thereafter, Respondent No.2 filed a petition under section 12 of the DV Act and also lodged the aforesaid FIR against Petitioner No. 1 and his family members. The charge sheet was filed under sections 498A/406/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a MoU/Settlement Deed dated 23.09.2024. 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, Tis Hazari Courts allowed the mutual divorce petition on 23.12.2024, 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 3,00,000/- (Rupees three lacs) as per the schedule mentioned in the Settlement Deed. The copy of MoU/Settlement Deed dated 23.09.2024 has been placed on record as Annexure P-2.



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

**“05.05.2025**

1. The present petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking quashing of the FIR NO. 175/2023 Under Sections 498A/406/34 IPC PS Najafgarh on the basis of settlement arrived at between the petitioners and R-2.
2. Vide order dated 14.01.2025 statement of the parties have already been recorded.
3. 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.
4. In view of the statement recorded, matter be placed before the Hon'ble Court on 27.05.2025.
5. Petitioner nos. 1 to 4 and Respondent no. 2 have entered their appearance through VC with respective counsels. They have been identified by their respective counsels as well as by the Investigating Officer ASI Pushpa Rani, from PS Najafgarh.
6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 3,00,000/- (Rupees three lacs) from the Petitioner No.1 as per the schedule mentioned in the MoU/Settlement Deed dated 23.09.2024. She further submits that she has no objection if the FIR No. 0175/2023 along with charge sheet 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. 0175/2023 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. 0175/2023, dated 06.05.2023, registered at P.S Najafgarh 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. 0175/2023, dated 06.05.2023, registered at P.S Najafgarh 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.



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

**RAVINDER DUDEJA, J**

**MAY 27, 2025/AK**

