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

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Date of decision: 28.05.2025

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CRL.M.C. 2949/2025

MANISH KUMAR LAMBA & ORS.Petitioners

Through: Petitioner No. 1 in person
Mr. Sumit Solanki & Mr.
Ashish Solanki, Advs.
P-2, 3 & 5 through VC

versus

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

Through: Mr. Satinder Singh Bawa, APP
with W/SI Neelu, PS Dwarka
North
R-2 is present 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. 0319/2021, dated 17.04.2021, registered at P.S Bindapur 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 30.01.2020 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 16.04.2020. Thereafter, Respondent No.2 filed a petition under section 12 of the DV Act, an execution petition bearing No. 227/2023, a maintenance petition bearing No. 390/2020 and also lodged the aforesaid FIR against Petitioner No. 1 and his family members.

3. During the proceedings, the parties amicably resolved their disputes and executed a MoU/Settlement Deed dated 19.04.2024. 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, South-West, Dwarka Courts allowed the mutual divorce petition on 05.03.2025, 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 6,50,000/- (Rupees six lacs fifty thousand) as per the schedule mentioned in the Settlement Deed. The copy of MoU/Settlement Deed dated 19.04.2024 has been placed on record as Annexure C.

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



“21.05.2025

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

Let this pre-verified statement along with this order be placed before the Hon'ble Court on **28th May, 2025**.

5. Petitioner No. 1 is physically present before the Court while petitioners No. 2, 3 & 5 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 W/SI Neelu, PS Dwarka North.

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 Rs. 6,50,000/- (Rupees six lacs fifty thousand) from the Petitioner No.1 as per the schedule mentioned in the Settlement Deed. She further submits that she has no objection if the FIR No. 0319/2021 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. 0319/2021 along with 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. 0319/2021, dated 17.04.2021, registered at P.S Bindapur 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. 0319/2021, dated 17.04.2021, registered at P.S Bindapur under sections 498A/406/34 IPC 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

MAY 28, 2025/AK