

(2025) 05 DEL CK 0954

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 2430 Of 2025 & Criminal Miscellaneous Application No. 10877 Of 2025

Amit Goyal & Ors

APPELLANT

Vs

State Of Nct Of Delhi And Anr

RESPONDENT

Date of Decision : 23-05-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code , 1860 — Section 34, 406, 498A
Hindu Marriage Act, 1955 — Section 13B(1)

Citation : (2025) 05 DEL CK 0954

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Nirja, Avantika Bharadwaj, Hitesh Vali

Final Decision : Allowed

Judgement

Ravinder Dudeja, J

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0169/2024, dated 23.03.2024, registered at P.S Punjabi 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 31.10.2017 as per Hindu rites and ceremonies at Delhi. A boy namely Parv was born on 11.11.2020 out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 10.02.2022. Thereafter, Respondent No.2 lodged the aforesaid FIR against Petitioners.

3. During the proceedings, the parties amicably resolved their disputes in the Counseling Cell, Family Court, Tis Hazari Courts, Delhi and executed a Settlement Deed dated 29.07.2024. 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, West, Tis Hazari Courts, Delhi allowed the mutual divorce petition on 22.01.2025, 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 It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn and all conditions of the Settlement Agreement including payment of Rs. 7,00,000/- (Rupees Seven Lacs) along with Articles to the Respondent No.2 have been fulfilled by the Petitioner No.1 as per the schedule mentioned in the Settlement Deed. The custody of the minor child Parv will remain with the Respondent No.2 and no visitation rights will be granted to the Petitioner No.1. The copy of Settlement Deed dated 29.07.2024 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:-

"16.05.2025

Mr. Jasdeep Singh Anand, Id. Counsel for Respondent no. 2 (through VC) and Respondent no. 2 appeared in person and submits that the demand draft for a sum of Rs. 2,00,000/- bearing no. 636580, drawn on Indian Bank, dated 08.04.2025 stands duly honoured and nothing else remains due in this case and Respondent no. 2 has no objection if FIR No. 0169/2024 under Section 498-A/406/34 IPC registered at PS Punjabi Bagh, Delhi and all proceeding emanating there from is quashed qua the petitioners.

The statement of Respondent no. 2 to ascertain the veracity and the genuineness of the parties entering into settlement was recorded on 08.04.2025.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 23rd May, 2025.

5. Petitioner nos. 1 to 8 and Respondent no. 2 are physically present before the Court with respective counsels. They have been identified by their respective counsels as well as by the Investigating Officer SI Savita Solanki from PS Punjabi Bagh.

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. 7,00,000/- (Rupees Seven Lacs) and the Articles from the Petitioner No.1 as per the schedule mentioned in the Settlement Deed dated 29.07.2024. She further submits that she has no objection if the FIR No. 0169/2024 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. 0169/2024 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. 0169/2024, dated 23.03.2024, registered at P.S Punjabi Bagh 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 FIR No. 0169/2024, dated 23.03.2024, registered at P.S Punjabi Bagh 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.