

(2025) 05 DEL CK 0930

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 3245 Of 2025 & Criminal Miscellaneous Application No. 14298 Of 2025

Dilip Kumar Jha And Another

APPELLANT

Vs

State Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 21-05-2025

Acts Referred:

Indian Penal Code , 1860 — Section 34, 323, 354B, 498A, 506

Citation : (2025) 05 DEL CK 0930

Hon'ble Judges : Girish Kathpalia, J

Bench : Single Bench

Advocate : Pankaj Kumar, Kiran, Manjeet Arya, Nidhi Dubey

Final Decision : Allowed

Judgement

Girish Kathpalia, J

1. Petitioners seek quashing of FIR No. 93/2021 of PS Ghazipur for offence under Section 323/354B/506/34 IPC. It is submitted that the complainant de facto (respondent no.2 herein) has settled all disputes with the petitioners. Learned counsel for petitioners has taken me through order dated 01.03.2025 of the learned Trial Magistrate whereby after detailed discussion, it was held that no offence under Section 354B IPC is made out, so the petitioners were discharged of the said offence. The learned Trial Magistrate directed framing of charges against the petitioners for offence under Section 498A/323/34 IPC. Today, both petitioners have appeared in person while respondent no.2 has appeared through videoconferencing.

2. I have spoken with the parties in Hindi.

3. It is submitted by respondent no.2 that she has compromised all disputes with the petitioners. It is further submitted by her that after dissolution of her marriage with petitioner no.1, she has got remarried. As decided by parties, custody of son of petitioner no.1 and respondent no.2 shall continue with

respondent no.2 and there shall be no visitation rights with petitioner no.1. Respondent no.2 submits that in accordance with the terms of their settlement deed dated 05.05.2025, she has received her entire stridhan articles as well as the full and final settlement amount towards her alimony. Respondent no.2 submits that now nothing is due and payable to her by either of the petitioners. Respondent no.2 submits that she does not wish to pursue the prosecution of the petitioners.

4. Detailed statements of parties were recorded by the concerned Joint Registrar.

5. Having spoken with the parties, I am satisfied that it would be in the interest of justice not to push the parties through trial. Therefore, the petition is allowed and consequently FIR No. 93/2021 of PS Ghazipur for offence under Section 323/354B/506/34 IPC and the proceedings arising there from are quashed. However, rights of the son of petitioner no.1 and respondent no.2 shall remain intact. Pending application stands disposed of.