

(2025) 05 DEL CK 0947

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 3441 Of 2025 & Criminal Miscellaneous Application No. 15186 Of 2025

Gopal Kapoor And Anr

APPELLANT

Vs

State (Nct Of Delhi) And Anr

RESPONDENT

Date of Decision : 23-05-2025

Acts Referred:

Indian Penal Code , 1860 — Section 34, 323, 406, 498A, 506

Citation : (2025) 05 DEL CK 0947

Hon'ble Judges : Girish Kathpalia, J

Bench : Single Bench

Advocate : Nawal Kishore Jha

Final Decision : Allowed

Judgement

Girish Kathpalia, J

1. Petitioners seek quashing of FIR No. 390/2023 of PS Rajouri Garden for offences under Section 323/498A/406/509/34 IPC on the ground that they have compromised the disputes with the complainant de facto (respondent no. 2 herein). All parties have personally appeared and are identified by their respective counsel and IO/SI Pradeep Kumar.

2. I have spoken with the parties in Hindi.

3. It is submitted by the parties that they have compromised all the disputes arising out of matrimony of petitioner no. 1 and respondent no. 2, who have got their marriage dissolved by way of decree of divorce with mutual consent. Petitioner no. 1 and respondent no. 2 have two sons, namely Riday and Dhruv. As decided by parties, custody of Riday shall remain with petitioner no. 1 while custody of Dhruv shall remain with respondent no. 2. Visitation rights of petitioner no. 1 and respondent no. 2 to meet their sons shall be once in a month as mutually agreed. Respondent no. 2 submits that she has received full and final settlement amount in lieu of her entire stridhan and alimony. However, as

regards rights of their sons, parties are aware that the same shall remain intact. Respondent no. 2 submits that she does not wish to pursue prosecution of petitioners.

4. Detailed statements of the 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.

6. Therefore, the petition is allowed and consequently FIR No. 390/2023 of PS Rajouri Garden for offences under Section 323/498A/406/509/34 IPC as well as proceedings arising out of the same are quashed. Pending application stands disposed of.