

(2025) 05 DEL CK 0979

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 3716 Of 2025 & Criminal Miscellaneous Application No. 16342, 16343 Of 2025

Mayank Shridhar & Ors

APPELLANT

Vs

State Of Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 30-05-2025

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 0979

Hon'ble Judges : Ravinder Dudgeja, J

Bench : Single Bench

Advocate : Deepak Verma, Chaityanya Sharma, Satinder Singh Bawa, Chanpreet Singh

Final Decision : Allowed

Judgement

Ravinder Dudgeja, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 1153/2022, dated 24.08.2022, registered at P.S Rani Bagh under sections 498A/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 12.12.2018 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 June 2021. Thereafter, Respondent No.2 lodged the aforesaid FIR against the petitioners. The charge sheet was filed under sections 498A/406/34 IPC.

3. During the proceedings, the parties have amicably resolved their disputes and executed a Settlement Agreement dated 06.09.2024. 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, Rohini Courts allowed the mutual divorce petition on 17.04.2025, 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 It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn and all conditions of the Settlement Agreement including the payment of the total settlement amount of Rs. 14,40,000/- (Rupees fourteen lacs forty thousand) along with one gold set, one pendant and one gold chain to the Respondent No.2 have been fulfilled as per the schedule mentioned in the Settlement Agreement. The copy of Settlement Agreement dated 06.09.2024 has been placed on record as Annexure B.

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

"26.05.2025

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 the IO.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 30th May, 2025.

5. Petitioners no.1-4 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 SI Pradeep from PS Rani 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 total settlement amount of Rs. 14,40,000/- (Rupees fourteen lacs forty thousand) along with one gold set, one pendant and one gold chain from the Petitioner No.1 as per the schedule mentioned in the Settlement Agreement dated 06.09.2024. She further submits that she has no objection if the FIR No. 1153/2022 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. 1153/2022 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. 1153/2022, dated 24.08.2022, registered at P.S Rani Bagh under sections 498A/34 IPC along with charge sheet and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 1153/2022, dated 24.08.2022, registered at P.S Rani Bagh under sections 498A/34 IPC along with charge sheet 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.