

(2025) 07 DEL CK 0834

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 4391 Of 2025 & Criminal Miscellaneous Application No. 19099 Of 2025

Rahul Bisht & Ors

APPELLANT

Vs

State & Ors

RESPONDENT

Date of Decision : 08-07-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 34, 406, 498A
Hindu Marriage Act, 1955 — Section 13B(1)
Protection of Women from Domestic Violence Act, 2005 — Section 12

Citation : (2025) 07 DEL CK 0834

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Atul Tiwari, Vaibhav Kumar, Satinder Singh Bawa

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. 0896/2022, dated 01.12.2022, registered at P.S Burari 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 11.12.2021 as per Hindu rites and ceremonies at Ghaziabad. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 26.05.2022. Thereafter, Respondent No.2 filed the following cases against Petitioner No.1 and his family members:

i. FIR No. 0896/2022, dated 01.12.2022, registered at P.S Burari under sections 498A/406/34 IPC

- ii. Complaint case under section 12 of DV Act bearing Ct. case no. 1373/2022
- iii. Criminal Revision bearing Cr. Rev no. 245/2024
- iv. Maintenance case bearing Mt. case no. 285/2022
- v. Execution petition bearing Ex. Crl. No. 66/2024

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 25.01.2025. 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, Tis Hazari Courts allowed the mutual divorce petition on 18.03.2025, thereby dissolving the marriage between the Petitioner 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 It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs.23,00,000/- (Rupees twenty three lacs) as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 25.01.2025 has been placed on record as Annexure P-2.

4. Parties are physically present before the Court. They have been identified by their counsel as well as by the Investigating Officer.

5. 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 entire settlement amount of Rs. 23,00,000/- (Rupees twenty three lacs) 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. 0896/2022 is quashed against the Petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0896/2022 is quashed.

7. 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."

8. 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. 0896/2022, dated 01.12.2022, registered at P.S Burari under sections 498A/406/34 IPC and all the other consequential proceeding emanating

therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0896/2022, dated 01.12.2022, registered at P.S Burari under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.