

(2025) 07 DEL CK 0973

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 1012 Of 2025 & Criminal
Miscellaneous Petition No. 4647 Of 2025

Randhir Singh @ Ballu & Ors

APPELLANT

Vs

State Govt. Of Nct Delhi & Anr

RESPONDENT

Date of Decision : 25-07-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 34, 406, 498A
Hindu Marriage Act, 1955 — Section 13B(1), 13B(2)

Citation : (2025) 07 DEL CK 0973

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Deepanshu Choithani, Rohit Kumar, Hitesh Vali, Zainul

Final Decision : Allowed

Judgement

Ravinder Dudeja, J

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 0145/2022, dated 21.02.2022, registered at P.S JaitPur, Delhi 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 20.06.2014 as per Hindu rites and customs at Uttar Pradesh. 3 children namely Anushka, Ananya & Aditya were born out

of the said wedlock. Due to temperamental differences Petitioner No. 1 and Respondent No. 2 started living separately since 31.07.2021. As per averments made in the FIR, Respondent No. 2 was subjected to both physical and mental harassment on account of dowry by the petitioners. Subsequently, FIR No. 0145/2022, dated 21.02.2022 was registered at instance of Respondent No. 2 at P.S JaitPur, Delhi under section 498A/406/34 IPC.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 23.01.2024 at Mediation Centre, Saket Courts, New Delhi. In view of the aforesaid settlement, Petitioner No. 1 and Respondent No. 2 got divorced vide order dated 03.06.2024 under sections 13B(1)/(2) of HMA. It is submitted that all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 10,50,000/- (Rupees ten lacs fifty thousand only) as per the schedule mentioned in the Settlement Deed. It is also submitted that the custody of children would be with Respondent No. 2 wherein no rights of the children would be affected and that Petitioner No. 1 shall have visitation rights. The copy of Memorandum of Understanding dated 23.01.2024 has been placed on record as Annexure 2.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer Insp. Satbir Singh, from PS JaitPur.

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has no objection if the FIR No. 0145/2022 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. 0145/2022 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. 0145/2022, dated 21.02.2022, registered at P.S JaitPur, Delhi under section 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. 0145/2022, dated 21.02.2022, registered at P.S JaitPur, Delhi under section 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.