

(2025) 05 DEL CK 0879

In the Delhi High Court

Case No : Writ Petition (Crl) No. 1479 Of 2025 & Criminal Miscellaneous
Application No. 13720 Of 2025

Sanjeev Kumar & Ors

APPELLANT

Vs

State Of Nct Delhi & Anr

RESPONDENT

Date of Decision : 14-05-2025

Acts Referred:

Constitution of India, 1950 — Article 226
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) 05 DEL CK 0879

Hon'ble Judges : Ravinder Dudgeja, J

Bench : Single Bench

Advocate : Arun Sheoran, Sanjay Lao, Abhinav Kr. Arya, Aryan Sachdeva, Vivek Raghuvanshi, Vaibhav Chaudhary

Final Decision : Allowed

Judgement

Ravinder Dudgeja, J.

1. This is a petition under Article 226 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0661/2022, dated 27.09.2022, registered at P.S Palam Village 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 27.11.2015 as per Hindu rites and ceremonies at Delhi. One daughter namely Anshika was born on 19.11.2016 out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 24.12.2020. Thereafter, Respondent No.2 filed a complaint under section 12 of the DV Act and also lodged the aforesaid FIR against Petitioner No. 1 and his

family members.

3. During the proceedings, the parties were referred to mediation where they amicably resolved their disputes and executed a Settlement dated 26.02.2022. In pursuance of the Settlement, the parties have mutually agreed to live together in the matrimonial home. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement have been fulfilled. The copy of Settlement dated 26.02.2022 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:-

"05.05.2025

Today, statement of respondent no.2 and the petitioner no.1 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no.2 and the petitioner have been identified by his counsel & IO.

Let the pre-verified statement along with this order be placed before the Hon'ble Court on 14th May, 2025.

5. Parties have entered their appearance through VC with counsel for petitioners and respondents physically present in Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Rajesh Kumar, PS Palam Village.

6. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she no objection if the FIR No. 0661/2022 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. 0661/2022 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. 0661/2022, dated 27.09.2022, registered at P.S Palam Village

under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0661/2022, dated 27.09.2022, registered at P.S Palam Village under sections 498A/406/34 IPC 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.