

(2025) 08 DEL CK 0648

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 5262 Of 2025

Sh. Yogender & Ors

APPELLANT

Vs

State(Nct Of Delhi) & Anr

RESPONDENT

Date of Decision : 05-08-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 34, 323, 498A, 506, 509

Citation : (2025) 08 DEL CK 0648

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Ayushi Singhal, Hitesh Vali

Final Decision : Allowed

Judgement

Ravinder Dudeja, J

CRL.M.A. 22742/2025 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 5262/2025

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 0712/2022, dated 07.12.2021, registered at P.S Krishna Nagar, Delhi under Sections 498A/323/506/509/34 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 19.06.2020 as per Hindu rites and customs at Delhi. Due to temperamental differences Petitioner and Respondent No. 2 started living separately since 28.01.2021. As per averments made in the FIR, Respondent No. 2 was subjected to physical and mental harassment on account of dowry demands by the

petitioners. She further submits that Petitioner No. 1 forced her into unnatural sex. Chargesheet has since been filed under section 498A/323/377/ 506/509/34 IPC.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Mediation Settlement Deed dated 15.01.2024 at Delhi Mediation Centre, Karkardooma Courts, Delhi. In respect of the aforesaid settlement, Petitioner No. 1 and Respondent No. 2 have dissolved their marriage by mutual consent on 24.12.2024. Copy of the Mediation Settlement Deed dated 15.01.2024 has been annexed as Annexure P-3.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Avaneesh Kumar, from PS Krishna Nagar.

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. 0712/2022 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. 0712/2022 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. 0712/2022, dated 15.03.2023, registered at P.S Krishna Nagar, Delhi under section 498A/323/506/509/34 IPC and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0712/2022, dated 15.03.2023, registered at P.S Krishna Nagar, Delhi under section 498A/323/506/509/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to petitioner depositing Rs. 10,000/- with DSLSA within one month.

10. Petition is allowed and disposed of accordingly.

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