

(2025) 12 DEL CK 0044

Delhi HC

Case No: Criminal Miscellaneous Petition No. 7821 Of 2024

Rahul Gautam And Ors

APPELLANT

Vs

State Nct Of Delhi And Anr

RESPONDENT

Date of Decision: Dec. 4, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023, Section 528
- Code of Criminal Procedure Act, 1973- Section 482
- Indian Penal Code, 1860- Section 323, 341, 384, 406, 451, 498A, 504

Hon'ble Judges: Ravinder Dudeja, J

Bench: Single Bench

Advocate: Sushant Tripathi, Manjeet Arya, Akshya, Ashish Sheoran

Final Decision: Allowed

Judgement

Ravinder Dudeja, J

CRL.M.A. 36152/2025 (early hearing)

Bearing in mind the reasons explained, the application is allowed and CRL.M.C. 7821/2024 is taken up for consideration today.

CRL.M.C. 7821/2024

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 0676/2021, dated 27.08.2021, registered at P.S Uttam Nagar, Delhi under Sections 498A/406 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix giving rise to the instant case is that the marriage between Petitioner No. 1 and Respondent no. 2/complainant was solemnized on 15.07.2018 as per Hindu Rites and ceremonies at Delhi. No child was born out of the said wedlock. However, on account of temperamental differences Petitioner No. 1 and Respondent No. 2 are living separately since 21.01.2021.

3. 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. FIR No. 0676/2021 was lodged at the instance of respondent no. 2 at PS Uttam Nagar under sections 498A/406 IPC against the petitioners. Subsequently Chargesheet was filed.

4. During the course of proceedings, the parties amicably resolved their disputes before the Counselling Cell and the terms of settlement were written in the form of Settlement dated 18.03.2024. It is submitted that petitioner no.1 and respondent no. 2 have obtained divorce on 10.05.2024 and the petitioner no. 1 has paid the entire settlement amount of Rs. 22,00,000/- (Rupees Twenty Two Lac Only) to respondent no. 2 as per the schedule in the settlement. Copy of the settlement agreement dated 18.03.2024 has been annexed as Annexure P-3.
5. Petitioner No. 1 and respondent No. 2 are physically present before the Court while petitioner Nos. 2 and 3 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Johny Kumar, from PS Uttam Nagar.
6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has received the entire settlement and has no objection if the FIR No. 0676/2021 is quashed against the Petitioners.
7. Petitioner No. 2, who is present through video conferencing, undertakes to assist respondent No. 2 for the purpose of quashing of cross FIR No. 159/2021, under Sections 323/341/451/384/504 IPC, registered at Police Station Sadar, Jaipur.
8. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0676/2021 is quashed.
9. Hon'ble Supreme Court has recognized the need of amicable settlement of disputes in *Rangappa Javoor vs The State Of Karnataka And Another*, Diary No. 33313/2019, 2023 LiveLaw (SC) 74, *Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr.*, (2013) 4 SCC 58 & in *Gian Singh vs State of Punjab* (2012) 10 SCC 303.
10. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon *B.S. Joshi v. State of Haryana*, (2003) 4 SCC.
11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.
12. In the interest of justice, the petition is allowed, and the FIR No. 0676/2021, dated 27.08.2021, registered at P.S Uttam Nagar, Delhi under Sections 498A/406 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.
13. Petition is allowed and disposed of accordingly.
14. Pending application(s), if any, also stand disposed of.
15. The date already fixed i.e. 24.04.2026, shall stand cancelled.