

(2025) 12 DEL CK 0018

Delhi HC

Case No: Writ Petition (Crl.) No 3915 Of 2025

Prakash Kumar Shrivastava &
Ors.

APPELLANT

Vs

State Gnt Of Delhi & Anr.

RESPONDENT

Date of Decision: Dec. 17, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023- Section 528
- Code of Criminal Procedure, 1973- Section 482
- Indian Penal Code, 1860- Section 34, 406, 498A

Hon'ble Judges: Ravinder Dudeja, J

Bench: Single Bench

Advocate: Varun Rajpal, Deepika Rajpal Grover, Sanjay Lao, Priyam Aggarwal, Abhinav Kumar Arya, Aryan Sachdeva, Deependra Singh Patel, Mohit Rajput, Anshoo Kumari

Final Decision: Allowed

Judgement

Ravinder Dudeja, J

CRL.M.A. 37705/2025 (early hearing)

Bearing in mind the reasons explained in the application, it is allowed and W.P.(CRL) 3915/2025 is taken up for hearing today.

This application stands disposed of.

W.P.(CRL) 3915/2025

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 91/2024, dated 03.04.2024, registered at P.S Vasant Kunj, Delhi under Sections 498A/406/34 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 20.05.2009 as per Hindu Rites and ceremonies at Jamshedpur. One child was born out of the said wedlock. Due to temperamental differences Petitioner no. 1 and Respondent no. 2 have been living separately since 01.11.2021.

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.

4. During the course of proceedings, the parties amicably resolved their disputes before Delhi Mediation Centre, Patiala House Courts, New Delhi and the terms of the compromise were reduced into writing in the form of a Settlement dated 05.10.2024. It is submitted that petitioner no. 1 and respondent no. 2 have obtained divorce on 25.04.2025 and petitioner no. 1 has paid the entire settlement amount of Rs. 7,00,000/- (Rupees Seven Lacs Only) to respondent no. 2 as per the schedule of the settlement along jewellery and furniture articles as per the settlement and further respondent no. 2 would sell the motorcycle registered under the name of petitioner no. 1. It is further submitted that the custody of the child shall be with respondent no. 2 with visitation rights to petitioner no. 1 as per the schedule in the settlement. Copy of the Settlement deed dated 05.10.2024 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 Sandeep Kumar, from PS Vasant Kunj North.

6. Respondent no. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and she has received the total settlement amount and has no objection if the FIR No. 91/2024 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. 91/2024 is quashed.

8. Honble 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.**

9. 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.**

10. 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.

11. The petition is allowed, and the FIR No. 91/2024, dated 03.04.2024, registered at P.S Vasant Kunj, Delhi under section 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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