



2025:DHC:11266



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 12.12.2025

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CRL.M.C. 8903/2025 & CRL.M.A. 37136/2025 EXEMPTION

GAURAV JAIN

.....Petitioner

Through: Mr. Rajeeve Agarwal and Mr.
Shashank Sharma Advs.
Petitioner in person.

versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Satinder Singh Bawa, APP
with SI Vikrant Singh, P.S.Hari
Nagar.
Mr. Ajai Kumar, Adv. for R-2
with R-2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 447/2018, dated 06.10.2018, registered at P.S Hari Nagar, 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 and Respondent no. 2/complainant was solemnized on 29.05.2015 as per Hindu Rites and ceremonies at New



Delhi. One child was born out of the said wedlock. Due to temperamental differences Petitioner and Respondent no. 2 have been living separately since 30.07.2016.

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 Petitioner. Chargesheet has since been filed under sections 498A/406/34 IPC against the Petitioner as also father-in-law and mother-in-law of respondent no. 2. The learned trial court vide order dated 01.05.2024, discharged the father-in-law and mother-in-law of the complainant.

4. During the course of proceedings, the parties amicably resolved their disputes before Delhi Mediation Centre, Tis Hazari Courts, New Delhi and the terms of the compromise were reduced into writing in the form of a Mediation Settlement dated 07.08.2025. It is submitted that petitioner and respondent no. 2 have obtained divorce by mutual consent on 03.11.2025 and petitioner has paid the entire settlement amount of Rs. 35,00,000/- (Rupees Thirty Five Lacs Only) to respondent no. 2 as per the schedule of the settlement. It is further submitted that the custody of the child shall be with respondent no. 2 with no visitation rights to petitioner. Copy of the Mediation Settlement dated 07.08.2025 has been annexed as Annexure P-5.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Vikrant Singh from PS Hari Nagar.



6. Respondent no. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and confirms receiving the total settlement amount and has no objection if the FIR No. 447/2018 is quashed against the Petitioner.

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. 447/2018 is quashed.

8. 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.

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.



2025:DHC:11266



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. 447/2018, dated 06.10.2018, registered at P.S Hari Nagar, 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.

RAVINDER DUDEJA, J

December 12, 2025

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