

Delhi High Court

Ajay Passi And Ors vs The State Of Nct Of Delhi And Anr on 3 September, 2025

\$~60 * IN THE
 HIGH COURT OF DELHI AT NEW DELHI
 % Date
 of decision: 03.09.2025
 + CRL.M.C. 6197/2025 & CRL.M.A.
 26264/2025 AJAY PASSI AND
 ORS. ...Petitioners
 Through: Mr. Arun
 Kumar Sharma,
 Advocate.
 Petitioner Nos. 1 and 2 through VC.
 versus
 THE STATE OF NCT OF
 DELHI AND
 ANR. ... Respondents
 Through: Mr.
 Hitesh Vali, APP with WSI
 Sushma, WSI Deepika, PS-
 Vikas Puri.
 Respondent No. 2 through VC. 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. 634/2016, dated 09.11.2016, registered at P.S VIKASPURI, 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 16.11.2003 as per Hindu Rites and ceremonies at Delhi. Two children were born out of the said wedlock. However, on account of temperamental differences Petitioner No. 1 and Respondent No. 2 are living separately since 27.10.2013.

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. Chargesheet has since been filed under sections 498A/406/34 IPC against the petitioners. It is submitted

that only petitioner nos. 1 and 2 have been summoned by the Court and remaining petitioners have been kept in Column No. 12 of the charge sheet.

4. During the course of proceedings, the parties amicably resolved their disputes and the terms of the compromise were reduced into writing in the form of a MOU/ Settlement Deed dated 24.05.2025. It is submitted that petitioner no. 1 and respondent no. 2 have obtained divorce on 21.03.2023 and custody of the children is with respondent no. 2. Copy of the MOU/ Settlement Deed dated 24.05.2025 has been annexed as Annexure P-5.

5. Petitioner Nos. 1 and 2 and respondent No. 2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer WSI Deepika, from PS Vikas Puri

6. 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. 634/2016 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. 634/2016 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

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. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

11. In the interest of justice, the petition is allowed, and the FIR No. 634/2016, dated 09.11.2016, registered at P.S VIKASPURI, 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 September 03, 2025 SK

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