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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 117/2025, CRL.M.A. 1017/2025-Exp

VIPIN & ORS.

.....Petitioners

Through: Mr. Shiv Shankar Mishra, Advocate
with petitioners in person

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Anand Khatri, ASC for the
State with SI Archana, PS. Delhi
Cantt.

Mr. Rahul Kumar, Advocate for R-
2 with respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

10.03.2025

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1. The petitioners vide the present petition under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS) and Section 482 Code of Criminal Procedure, 1973 (Cr. P.C.), seek quashing of FIR No.85/2022 dated 28.02.2022 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (IPC) at P.S. Delhi Cantt., Delhi and all proceedings emanating therefrom in view of the Memorandum of Understanding dated 21.09.2022 arrived at between the parties.

2. This petition is accompanied by the Memorandum of Understanding dated 21.09.2022 (Annexure-P2) and is also supported by affidavits of all the petitioners and of respondent no.2, alongwith proofs of their respective I.Ds.

3. Petitioner nos.1 to 5 as also respondent no.2 are present in Court personally and through video conferencing and have been identified by the



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4. The credentials of the petitioner nos.1 to 5 as also the respondent no.2 have been verified by this Court.

5. Learned ASC for the State confirms that he has no objection to the quashing of the said FIR.

6. Respondent no.2 confirms that the petitioner no.1 and respondent no.2 have been granted divorce by mutual consent vide Decree of Divorce dated 05.08.2024. She further affirms the Memorandum of Understanding dated 21.09.2022 whereby the petitioner no.1 has paid her a sum of Rs. 1,60,000/- (Rupees One Lac Sixty Thousand Only) in full and final settlement of all her claims including alimony, maintenance (present, past and future), stridhan etc.

7. In view of the settlement arrived at between the parties and the present FIR relates to a matrimonial dispute and following the law laid down by the Hon'ble Supreme Court in *Gian Singh vs. State of Punjab & Anr.*, (2012) 10 SCC 303 and *Narinder Singh & Ors. vs. State of Punjab & Anr.*, (2014) 6 SCC 466, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.

8. Accordingly, the said petition is allowed and FIR No.85/2022 dated 28.02.2022 registered under Sections 498A/406/34 IPC at P.S. Delhi Cantt., Delhi and all proceedings emanating there from are quashed.

9. The petition alongwith the pending application stands disposed of.

SAURABH BANERJEE, J

MARCH 10, 2025/akr