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

+ W.P.(CRL) 170/2025

XXXXX

Through:Petitioner
Mr. Jai Bansal and Mr. Abhishek Verma,
Advocates along with Petitioner through
V.C.

versus

XXXXX

Through:Respondent
Mr. Anand V. Khatri Ld, ASC for the
State with SI Neeraj P.S Sabzi Mandi.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

28.02.2025

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CRL.M.A. 1362/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CRL.M.A. 1363/2025 (under Section 528 of BNSS, 2023 seeking Directions to the Registry to mask the names of the parties from the order and the pleadings)

3. An application has been filed for masking of the names of the parties.
4. In view of the submissions made, the Registry is directed to mask the names of the parties from the order and the pleadings that were filed in the case records.
5. The Application is accordingly disposed of.

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6. The present Petition under Article 226 of the Constitution of India read with Section 528 BNSS has been filed on behalf of the petitioners seeking to quash the FIR No. 364/2022 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 at Police Station Sabzi Mandi, Delhi.
7. Issue notice.
8. Mr. Anand V. Khatri, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.



9. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 28.04.2019 according to Hindu rites and ceremonies. It is stated that a child namely Nysa Satija was born out of the said wedlock on 03.07.2020, who is now aged about 5 years. Since 2022, the parties started residing separately.

10. It is further submitted that on 12.07.2022, on the complaint of respondent No. 2, an FIR bearing No. 364/2022 under Sections 498A/406/34 of the Indian Penal Code, 1860 got registered at Police Station Sabzi Mandi.

11 It is further stated that the Petitioner No.1 and Respondent No.2 amicably settled all the disputes and differences before learned JMFC Court in Ct. Case No.1266/2022, and it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No. 1/husband shall pay a sum of Rs.21.25 lacs to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife and that this settlement is sought prejudice to the rights and entitlements of the daughter. It is also stated that the petitioner No. 1 has already paid Rs. 15,00,000 to respondent No. 2/wife in two instalments viz., Rs. 5,00,000/- was paid at the time of recording of statements in First Motion Petition under Section 13(b) of the Hindu Marriage Act, 1955 and another Rs. 10,00,000/- was paid at the time of recording of statements in Second Motion Petition under Section 13(b)(2) of the Hindu Marriage Act, 1955.

12. It is further stated that the remaining third instalment of Rs. 6,25,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 364/2022. It is also stated that the child shall remain in the custody of respondent No. 2/wife.

13. It is also stated that on 11.09.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

14. In view of the Compromise Deed dated 24.01.2024, the present petition has been filed.



15. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

16. The third instalment of Rs.6,25,000/- has already been paid to the respondent No. 2/wife by the petitioner No. 1, and the same has been confirmed by the respondent No. 2/wife.

17. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 24.01.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

18. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Compromise Deed dated 24.01.2024 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion. This Settlement is without prejudice to the rights and entitlements of the daughter.

19. The respondent No. 2/wife submits that she has been living separately from the petitioner No. 1/husband for the last three years.

20. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

21. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

22. Moreover, there is no legal impediment in quashing the FIR in question.

23. Accordingly, FIR bearing No. 364/2022 registered at Police Station Sabzi Mandi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating there from are quashed.



24. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

FEBRUARY 28, 2025/va