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

+ **CRL.M.C. 440/2025**

KAMAL @ MONU AND OTHER

.....Petitioners

Through: Ms. Nargis Jahan and Ms. Rubi, Advocates
for P1, P2 & P3.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Utkarsh, APP for the State with SI
Mohit Bamel, PS Begumpur.
Ms. Malti Kumari, Advocate for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **23.05.2025**

CRL.M.A. 2122/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.C. 440/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sahita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) read with Section 482 of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioners, for quashing of the FIR No. 8/2012 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) reregistered at Police Station Begumpur, Delhi and all the consequential proceedings emanating therefrom.
4. Issue Notice.

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5. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between the Petitioner No.1/husband and the Respondent No. 2/wife on 09.02.2007, according to the Hindu rites and ceremonies and no child was born out of the said wedlock.
7. It is further submitted that on the Complaint of the Respondent No. 2, an FIR No. 8/2012 under Section 498A/406/34 IPC got reregistered at Police Station Begumpur, Delhi, against the Petitioners. It is stated that due to temperamental differences, they have been residing separately since 18.01.2009.
8. The matter has been amicably settled between the parties *vide* Settlement Deed on 18.03.2016 before the Court of learned Judge, Family Court (North-West), Rohini, Delhi, which bears the signatures of all the parties and both the parties have settled all their grievances. In the Settlement Deed, it was agreed between the parties that the Petitioner No.1 shall pay the total amount of Rs.1,50,000/- to the Respondent No. 2 as full and final settlement (*against stridhan and dowry, maintenance towards past, present and future*). It was also agreed that the said amount shall be paid by the Petitioner No.1 to the Respondent No.2 at the time of recording of the Statement of second motion before the learned Trial Court. It was further agreed that the parties shall withdraw all the pending cases against each other.
9. The parties are present in person and have been identified by their learned counsel and the Investigating Officer concerned. It is submitted by learned Counsel for the Respondent No. 2 that the settlement amount of

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Rs.1,50,000/- has already been paid by the Petitioner No. 1.

10. It is also stated that on 06.06.2018 the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. The Statements of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

12. Considering the nature of the allegations and that they have settled the matter, the FIR No. 8/2012 under Section 498A/406/34 IPC reregistered at Police Station Begumpur, Delhi and all the consequential proceedings emanating therefrom are quashed

13. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 23, 2025/RS

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