



\$~118

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

+ **CRL.M.C. 441/2025**

ABHISHEK KUMAR ASHT AND ANR.Petitioners

Through: Mr. Anubhav Agrawal, Advocate
alongwith petitioners in person

versus

STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Rajkumar, APP for the State
alongwith I.O.
Respondent no. 2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

26.03.2025

%

CRL.M.A. 2128/2025 (exemption)

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

CRL.M.C. 441/2025

3. By way of instant petition, the petitioners seek quashing of FIR bearing no. 359/2019, registered at Police Station M.S. Park, Delhi, for the offence punishable under Sections 498A/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. Mr. Rajkumar, the learned APP accepts notice on behalf of the State.
5. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 22.02.2017, according to Hindu



rites and rituals. It is stated that a male child was born out of the said wedlock. It is stated that due to certain differences, the parties started residing separately since November 2019. It is further stated that on the complaint of respondent no. 2 before the CAW Cell, New Delhi, the present FIR had got registered. Thereafter, both the parties had amicably settled all their disputes before the Delhi Mediation Centre, Karkardooma Courts, Delhi, wherein it was *inter-alia* settled between the parties that petitioner no. 1 shall pay a sum of Rs. 16,00,000/- to the respondent no. 2 as full and final settlement for her maintenance (past, present and future), permanent alimony, jewellery etc. It was also agreed between the parties that the custody of the minor child shall remain with the wife and the husband shall have visitation rights to meet the minor child. It is further stated that the marriage between the petitioner no. 1 and respondent no. 2 had been dissolved before the concerned Court. In view of the settlement, the present petition has been filed.

6. The parties are present before this Court in person today, and have been identified by their counsel and Investigating Officer concerned.

7. The concerned Joint Registrar (Judicial) has already recorded the statements of the parties regarding the agreement entered into voluntarily between the parties.

8. Today, the complainant who is present in Court states that she has received all amounts due to her and that she has no objection, if the present FIR is quashed.

9. 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 arises out of a family dispute, I am of the



opinion that no useful purpose will be served by continuing 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. Moreover, there is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 359/2019, registered at Police Station M.S. Park, Delhi, for the offence punishable under Sections 498A/34 of the IPC and all consequential proceedings emanating therefrom, are quashed.

11. In view of above, the present petition stands disposed of.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 26, 2025/ns

Click here to check corrigendum, if any