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

+ **W.P.(CRL) 279/2025**

PREM KUMAR & ORS.

.....Petitioners

Through: Mr. Manish Kumar, Advocate with
Petitioners.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for
the State with Mr. Alok Sharma and
Ms. Richa Tiwari, Advocates with SI
Lokendra Kumar, D-6782, PS
Swaroop Nagar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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29.05.2025

CRL.M.A. 2431/2025 (Exemption)

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

W.P.(CRL) 279/2025

3. Petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*)/under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*), has been filed on behalf of the Petitioners, for quashing of FIR No. 817/2021 under Section 406/498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Swaroop Nagar Area and all the consequential proceedings emanating therefrom.



4. Issue Notice.
5. On advance Notice, learned ASC has appeared and accepts the Notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between Petitioner No.1/husband and the Respondent No. 2/wife on 22.06.2018, according to the Hindu rites and ceremonies and no child was born out of the said wedlock.
7. On the Complaint of the Respondent No.2/Complainant, FIR No.817/2021 under Section 406/498A/34 IPC, got registered at Police Station Swaroop Nagar Area.
8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1. It is stated that the Petitioner No. 1 and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Compromise Deed dated 05.09.2023. In the Settlement, 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 under Section 13-B(1) and 13-B(2) of Hindu Marriage Act, 1955. It is stated that the Petitioner No.1/husband shall pay a sum of Rs.13,00,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance istridhan and alimony of the Respondent No. 2/wife, in three instalments. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.4,00,000/- to Respondent No. 2/wife, at the time of recording of Statements of both the parties under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.5,00,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2,



at the time of recording of Statements under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.4,00,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, at the time of quashing the aforesaid FIR. It is also submitted that the Respondent No. 2 shall withdraw all the proceedings pending against the Petitioner and his parents.

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

10. It is also stated that on 28.02.2024, the marriage between the Petitioner No. 1 and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. The Statement 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 No.817/2021 under Section 406/498A/34 IPC, got registered at Police Station Swaroop Nagar Area and all the consequential proceedings emanating therefrom are quashed

13. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 29, 2025/RS