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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 834/2025**
DEEPAK DAWARPetitioner

Through: Counsel for Petitioner (appearance
not given)

versus

THE STATE (NCT OF DELHI) & ANR.Respondents
Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Lal Bahadur, PS
Malviya Nagar.
Mr. Ajay Pratap Singh, Advocate for
the Complainant with Complainant.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
14.05.2025

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1. The Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'CrPC'*)/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner, Mr. Deepak Dawar for quashing of FIR No. 0087/2019 dated 25.03.2019 under Sections 498A/406 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at Police Station Malviya Nagar, Delhi and all the proceedings emanating therefrom, in terms of the Settlement Agreement dated 26.11.2024.
2. Issue Notice.
3. Mr. Sunil Kumar Gautam, learned APP appearing on advance Notice, accepts Notice on behalf of the State.

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4. Brief facts of the case are that the marriage was solemnized between the Petitioner/husband and the Respondent No. 2/wife on 06.06.2010, according to the Hindu Rites and ceremonies and a girl child was born out of the said wedlock on 08.08.2012.

5. It is further submitted that the Respondent No. 2 was arrested for allegedly murdering her mother-in-law and on 29.08.2013, on the Complaint of the Petitioner, FIR No. 0432/2013 under Sections 302/394/323 IPC got registered at Police Station Malviya Nagar, Delhi, against the Respondent No. 2. The Petitioner and the Respondent No. 2 have been living separately since 31.08.2013.

6. On 25.03.2019, on the Complaint of the Respondent No. 2, FIR No.0087/2019 under Section 498A/406 IPC got registered at Police Station Malviya Nagar, Delhi, against the Petitioner. It is submitted that on 18.11.2023, the Petitioner filed an Appeal bearing CRL.A. No. 1080/2023 against the impugned Order dated 14.08.2023 of learned ASJ (FTC)-02, South District, Saket Court. Thereafter, the Respondent No. 2 was acquitted of all charges *vide* Judgment/Order dated 14.08.2023 of learned ASJ (FTC)-02, South District, Saket Court in SC No. 7124/2016.

7. It is submitted that the FIR was a consequence of the matrimonial disputes between the Petitioner and the Respondent No. 2. It is stated that the Petitioner and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Settlement Agreement dated 26.11.2024. In terms of the Settlement Agreement, the Statement of the parties have already been recorded before the learned Joint Registrar. In the Settlement Agreement, it was *inter alia* settled between the parties that both the parties shall withdraw their

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respective cases. It is stated that the Petitioner/husband shall pay a sum of 11,00,000/- 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 two instalments. It is also stated that the Petitioner shall pay first instalment of Rs.8,50,000/- to Respondent No. 2/wife, by way of Demand Draft at the timing of the signing of the present Settlement Deed; the second instalment of Rs.2,50,000/- shall be paid by the Petitioner to the Respondent No. 2, at the time of recording of statements before this Court. It is also stated that the Petitioner shall pay a sum of Rs.75,000/- by way of Demand Draft in favour of Ms. Paree Dawar towards pre-payment of the LIC Policies for the year 2025.

8. It is stated that the Petitioner has already paid the first instalment of Rs.8,50,000/- by way of Demand Draft dated 22.11.2024 drawn upon ICICI Bank, Connaught Place, New Delhi to the Respondent No. 2; the second instalment of Rs.2,50,000/- has already been paid by the Petitioner to the Respondent No. 2. The Petitioner has also handed over a sum of Rs.75,000/- by way of Demand Draft dated 22.11.2024 drawn upon ICICI Bank, Connaught Place, New Delhi in favour of Ms. Paree Dawar towards pre-payment of premium of the LIC Policies for the year 2025.

9. It is also stated that on 03.05.2024, the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

10. In view of the Settlement Agreement dated 26.11.2024, the present Petition has been filed.

11. The parties are present before this Court in-person today and have been identified by their learned Counsel and Investigating Officer

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concerned. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily. The parties have undertaken to remain bound by the terms of the Settlement.

12. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Agreement dated 26.11.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

13. The present Petition has been signed by the Petitioner and is supported by his Affidavit. The parties have reaffirmed the terms of the settlement Agreement and they also submit that the said Settlement Agreement has been arrived at between the parties, without any pressure and coercion.

14. 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.

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

16. Accordingly, FIR No. 0087/2019 dated 25.03.2019 under Sections 498A/406 IPC registered at Police Station Malviya Nagar, Delhi and all consequential proceedings emanating therefrom are quashed. The child shall remain in the custody of the Complainant. It is hereby clarified that the

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Settlement Agreement is without prejudice to the rights and entitlement of the child.

17. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 14, 2025/RS

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