



2025:DHC:4550



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

% **Date of decision: 23.05.2025**

+ CRL.M.C. 888/2025

DINESH KUMAR AND ORSPetitioners

Through: Ms. Srishti Saini, Adv.

versus

STATE (NCT OF DELHI) AND ANRRespondents

Through: Ms. Meenakshi Dahiya, APP
with SI Rajendra Kumar, PS
Kishan Garh and SI Deependra,
PS Sonia Vihar
Mr. Ashish Kapur, Mr. Anmol
Kapur and Mr. Risap Atal,
Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

CRL.M.A. 4104/2025 (Exemption)

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

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3. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 0387/2015 dated 25.07.2015 for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860, registered at Police Station Soniya Vihar ("subject FIR") and all other proceedings emanating therefrom.
4. The learned counsel for the petitioners submits that the respondent no. 2 is wife of the petitioner no. 1 and their marriage was solemnized on 06.06.2009 at Delhi, as per the Hindu rites and



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ceremonies and that no child has been born out of the said wedlock. He submits that the incompatible behaviour, conduct and temperament of the parties, coupled with raising demands of dowry and increasing harrsment, led to the registration of the subject FIR.

5. The learned counsel submits that due to the irreconcilable and temperamental differences, the marriage of the petitioner no.1 and the respondent no. 2 has suffered an irretrievable breakdown and the parties have been living separately since 01.01.2013.

6. He further submits that with the intervention of the family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of their disputes and that no further dispute subsists in relation thereto and the divorce by way of mutual consent has also taken place between the parties *vide* the divorce decree dated 26.10.2024 passed by the learned Judge, Family Court, Central District, Tis Hazari Courts Delhi. The Copy of the judgment dated 26.10.2024 along with the Decree of Divorce by mutual consent has been filed today in Court. The same is taken on record.

7. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Memorandum of Understanding/Settlement Deed dated 13.08.2024 has been duly executed between the petitioner no. 1 and the respondent No. 2. It is further submitted that, in terms of the said Settlement/MoU, respondent No. 2 has undertaken to withdraw all proceedings



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presently pending before various judicial fora.

8. In terms of the said settlement, the petitioner no. 1 has undertaken to pay a sum of Rs. 25,00,000/- full and final settlement of all her claims. The Settlement Deed dated 13.08.2024 outlining the terms of settlement has been placed on record.

9. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 10.02.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in his statement before the Joint Registrar (Judicial), has stated therein, that he has no objection if the subject FIR and all the proceedings emanating therefrom is quashed.

10. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

11. The complainant/respondent no. 2, who is present-in-person before this Court, upon being queried, confirms that the Settlement Deed dated 13.08.2024 has been entered into between the parties and that she has received the entire sum of Rs. 25,00,000/- in three instalments by way of Demand Drafts i.e., Rs.10 lakh, Rs. 10 lakh and Rs. 5 lakh, respectively in full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, dowry, articles, jewellery, permanent alimony etc., in compliance of the terms of the said Settlement. The respondent no. 2 also confirms that the marriage has been dissolved *vide* the decree dated 26.10.2024 and that there is no other litigation pending between the parties. Furthermore,



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she has no objection if the subject FIR and all consequential benefit emanating therefrom are quashed.

12. In view of the foregoing, the learned counsels of the parties, jointly prayed, for quashing of the subject FIR.

13. The learned APP, for the state, submits that there is no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

14. In view of these circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.***: (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.***: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

15. In conspectus of the above facts and the Settlement Deed dated 13.08.2024, the subject FIR No. 0387/2015 for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860, registered at Police Station Soniya Vihar and all consequential proceedings emanating therefrom, are hereby quashed.

16. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 23, 2025/SU/KP

[Click here to check corrigendum, if any](#)