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

+ **CRL.M.C. 1094/2025**

NITIN AGARWAL & ORS.

.....Petitioners

Through: Mr. Nitin Mehra, Advocate with
Petitioners.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Sadhna, PS Roop Nagar, S/V
Nitin Aggrawal.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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15.05.2025

CRL.M.A. 5026/2025 (Exemption)

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

CRL.M.C. 1094/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*Section 482 of the Code of Criminal Procedure, 1973*) has been filed on behalf of the Petitioners, for quashing of FIR No. 219/2017 under Section 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Roop Nagar, Delhi and the consequent proceedings emanating thereto.
4. Issue Notice.
5. On advance Notice, learned APP has appeared 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 25.02.2011,



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. 219/2017 under Section 498A/406/34 of the Indian Penal Code, 1860 got registered at Police Station Roop Nagar, Delhi. It is stated that due to temperamental differences, they have been residing separately since 19.06.2014.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner. 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 Memorandum of Understanding (MOU) dated 18.11.2023. In terms of the Settlement dated 18.11.2023, the Statement of the parties have already been recorded before the learned Joint Registrar. It is stated that the Petitioner/husband shall pay a sum of Rs.43,50,000/- in four instalments, 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. It is also stated that the Petitioner shall pay first instalment of Rs.6,00,000/- to Respondent No. 2/wife, at the time of First Motion Divorce by mutual consent; the second instalment of Rs. 15,00,000/- shall be paid by the Petitioner to the Respondent No. 2, at the time of Second Motion divorce by mutual consent; the third instalment of Rs.15,30,000/- shall be paid by the Petitioner to the Respondent at the time of quashing the Petition and the fourth instalment of Rs.7,20,000/- shall be paid by the Petitioner to the Respondent No. 2, the amount of which deposited by the husband in Crl. Rev. P. No. 771/2019 within one month of



the Statement It is also submitted that the parties shall withdraw all the proceedings pending against each other.

9. It is stated that the Petitioner No. 1 has already paid the settlement amount of Rs.43,50,000/- in four instalments, to the Respondent No. 2.

10. It is also stated that on 19.09.2024, the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. In view of the Settlement Deed dated 18.11.2023, the present Petition has been filed.

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

13. The parties have submitted that all the disputes have been amicably settled vide Settlement dated 18.11.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present Petition has been signed by the Petitioners and are supported by their Affidavits. The parties have reaffirmed the terms of the settlement arrived at and they also submit that the said Settlement dated 18.11.2023 has been arrived at between the parties, without any pressure and coercion.

15. 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.

16. 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.

17. Accordingly, FIR No. 219/2017 under Section 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Roop Nagar, Delhi and the consequent proceedings emanating therefrom are quashed.

18. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 15, 2025/RS