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

+ **CRL.M.C. 1349/2025**

VICKY KASHYAP AND ORS

.....Petitioners

Through: Ms. Anushka, Advocate with
Petitioners.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with Inspector Sumit Kumar and SI
Dharmendra Sharma, PS Patel Nagar.
Mr. Vikrant Thakur, Advocate for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **06.08.2025**

CRL.M.A. 5961/2025 (Exemption)

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

CRL.M.C. 1349/2025

3. Petition under 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. 0460/2023 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Patel Nagar and all the consequential proceedings emanating therefrom., in terms of the Settlement Deed dated 22.04.2024.



4. Issue Notice.
5. On advance Notice, learned APP 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 No1/husband and the Respondent No. 2/wife on 31.01.2020, 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.0460/2023 under Section 498A/406/34 of IPC, got registered at Police Station Patel Nagar.
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 Memorandum of Settlement (MOU) dated 22.04.2024, before the Delhi Mediation Centre, Tis Hazari Courts, Delhi. 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.8,50,000/- 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.3,00,000/- 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.2,50,000/- 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.3,00,000/- 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 both the parties shall not file any case, complaint or litigation against each other.

9. Today, the Petitioner No. 1 has handed over a Demand Draft bearing No.007742, drawn from Axis Bank, for a sum of Rs.3,00,000/-, in favour of Asha, to the Respondent No. 2 in the Court. The Complainant is present in the Court and states that she has received all amounts due to her and has no objection if the said FIR is quashed.

10. It is also stated that on 17.09.2024, the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. Both the parties 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 FIR No. 0460/2023 under Section 498A/406/34 of IPC registered at Police Station Patel Nagar and all the consequential proceedings emanating therefrom are quashed.

13. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 6, 2025/RS