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

+ **CRL.M.C. 1403/2025**

KAMAL JOSHI & ORS.

.....Petitioner

Through: Ms. Prerana Sabharwal, Advocate.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
along with SI Kishan Chand and HC
Bhushan Parsad P.S. Dwarka South.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **28.05.2025**

CRL.M.A. 6217/2025 (Seeking Exemption)

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

CRL.M.C. 1403/2025

3. The present Petition under Section 528 BNSS has been filed on behalf of the Petitioners seeking to quash the FIR No. 0526/2023 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 at Police Station Dwarka, New Delhi.

4. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 04.11.2022 according to Hindu



rites and ceremonies. Due to the temperamental difference, the parties started residing separately 06.02.2023.

5. It is further submitted that on 28.10.2023, on the complaint of Respondent No. 2, an FIR bearing No. 0526/2023 under Sections 498A/406/34 of the Indian Penal Code, 1860 got registered at Police Station Dwarka, New Delhi.

6. It is stated that with the interventions of the family members, relatives and friends, both the parties amicably settled all the disputes and differences *vide* Compromise Deed dated 17.01.2025, and 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. The Respondent No.2 has agreed to dissolve the marriage without any maintenance from the Petitioners.

7. It is submitted that the 1st Motion Petition has already been made on 03.02.2025. It is specifically agreed in terms of the Settlement dated 17.01.2025 that the 2nd Motion Petition shall be filed only after the quashing of FIR.

8. In view of the Compromise Deed dated 17.01.2025, the present petition has been filed.

9. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.



10. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 17.01.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Compromise Deed dated 17.01.2025 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

12. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has no objection if the FIR is quashed.

13. 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, I am of the opinion that 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.

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

15. Accordingly, FIR bearing No. 0526/2023 registered at Police Station Dwarka, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.



16. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

MAY 28, 2025/va