



\$~42

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

+ **CRL.M.C. 1517/2025**

SH. ROSHAN KUMAR & ORS.

.....Petitioners

Through: Mr. Ravinder Kumar, Mr. A.R. Tayade, Advocates with P1, P2 and P3 and P4.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State with ASI Dhirendra Kumar, PS Shalimar Bagh.
Ms. Saloni Uppal, Advocate along with Ms. Sheetal Kumari, R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

06.05.2025

CRL.M.A. 6834/2025

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

CRL.M.C. 1517/2025

3. Criminal Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners for quashing of FIR No. 488/2021 under Section 498A of the Indian Penal Code, 1860 (*hereinafter referred to as 'Cr.P.C.'*) registered at Police Station Shalimar Bagh, Delhi and all its consequential proceedings emanating therefrom.
4. Issue Notice.

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 14/05/2025 at 11:32:49



5. Mr. Shoaib Haider, learned APP appearing on advance Notice, accepts Notice on behalf of the State.

6. Brief facts of the case are that the marriage was solemnized between the Petitioner No.1/husband and the Respondent No. 2/wife on 02.11.2017, according to the Hindu rites and ceremonies at Arya Samaj Mandir, Shastri Nagar, Ghaziabad, U.P. 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. 488/2021 under Section 498A of the IPC got registered at Police Station Shalimar Bagh, Delhi.

8. 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* Settlement Deed dated 07.11.2023, before the Mediation Centre, Rohini Courts. The Statement of the parties have already been recorded before the learned Joint Registrar. In the Settlement Deed, it was *inter alia* settled between the parties that the Petitioner No.1/husband shall pay a sum of 70,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, *istridhan* and alimony of the Respondent No. 2/wife, in three instalments, by way of Demand Draft. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.25,000/- to the Respondent No. 2/wife, at the time of recording of statements of both the parties in First Motion Petition under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.25,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, at the time of recording of statements in Second Motion Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.20,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, at

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 14/05/2025 at 11:32:49



the time of quashing the aforesaid FIR. It is also submitted that both the parties shall withdraw all the proceedings pending against each other.

9. It is stated that the Petitioner No. 1 has already paid the first instalment of Rs.25,000/- to the Respondent No. 2, at the time of recording of statements in First Motion Petition under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.25,000/- has already been paid by the Petitioner No.1, to the Respondent No. 2, at the time of recording of statements in Second Motion Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.20,000/- has already been paid by the Petitioner No. 1 to the Respondent No. 2.

10. It is also stated that on 20.03.2024, the marriage between the Petitioner No. 1 and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. In view of the Settlement Deed dated 07.11.2023, 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.

13. The parties have undertaken to remain bound by the terms of the Settlement.

14. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 07.11.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

15. The present Petition has been signed by the Petitioners and is supported by their Affidavit. The parties have reaffirmed the terms of the

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 14/05/2025 at 11:32:49



settlement arrived at *vide* Settlement Deed and they also submit that the said Settlement Deed dated 07.11.2023 has been arrived at between the parties, without any pressure and coercion.

16. 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.

17. 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.

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

19. Accordingly, FIR No. 488/2021 under Section 498A of IPC registered at Police Station Shalimar Bagh, Delhi and all consequential proceedings emanating therefrom are quashed.

20. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 6, 2025/RS