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

+ **CRL.M.C. 1577/2025 & CRL.M.A. 7147/2025**

DINESH @ RITESH KUMAR & ORS.

.....Petitioners

Through: Mr. Himanshu Gupta, Advocate with
Petitioners in person

versus

GOVT. OF NCT OF DELHI THROUGH SHO

PS KHAJURI KHAS & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with Insp. Kurdeep Singh, P.S.
Kotwali and SI Keshav, P.S. Khajuri
Khas

Mr. P.K. Singh, Mr. Sanjeev Kumar
and Ms. Vandana Singh, Advocates
for R-2 with R-2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

18.08.2025

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1. Petition under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023/482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners seeking quashing of FIR No. 0125/2013 registered under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act, 1961 at P.S. Khajuri Khas and all the proceedings emanating therefrom, in terms of the Settlement dated 04.06.2024.
2. Issue Notice.
3. Learned APP appearing on advance Notice, accepts Notice on behalf of the State. Learned Counsel appearing on behalf of the Respondent No. 2, accepts the Notice.



4. Brief facts of the case are that the marriage between Petitioner/husband and the Respondent No. 2/wife was solemnized on 31.01.2008, according to the Hindu rites and ceremonies and two children, namely, Baby Chahat aged about 15 years and Baby Lovely aged about 14 years, were born out of the said wedlock, who are at present under the care and custody of Respondent No. 2. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 started residing separately since 17.12.2012.

5. It is further submitted that on 17.03.2013, on the basis of complaint made by the Respondent No. 2, FIR No. 0125/2013 was registered under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act, 1961 at P.S. Khajuri Khas. After completion of investigations, the Charge-sheet has already been filed.

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

7. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner/husband. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement dated 04.06.2024.

8. In the Settlement, it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner/husband shall dissolve their marriage by decree of mutual consent under Section 13-B(1) and 13-B(2) of Hindu Marriage Act, 1955, from the Court of learned Principal Family Judge, Delhi. It is stated that the Respondent No. 2/wife has foregone all her rights qua the marriage and is not claiming any monetary consideration from



the Petitioner/husband towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance *istridhan* and alimony.

9. It is stated that on 04.11.2024, the marriage between the Petitioner/husband and the Respondent No. 2/wife, had been dissolved by mutual consent, as per the Hindu law.

10. In view of the Settlement dated 04.06.2024, the present Petition has been filed.

11. The parties have reaffirmed the terms of the Settlement dated 04.06.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily and have undertaken to remain bound by the terms of the Settlement.

12. 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.

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

14. Accordingly, FIR No. 0125/2013 registered under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act, 1961 at P.S. Khajuri Khas and all consequential proceedings emanating therefrom are quashed. It is hereby clarified that the said Settlement is without any prejudice to the rights and entitlements of the children, in accordance with



law.

15. The Petition alongwith pending Application, is disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 18, 2025

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