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

+ **W.P.(CRL) 788/2025, CRL.M.A. 7304/2025 & 10828/2025**

ANIL YADAV & ORS.

.....Petitioners

Through: Mr. Neeraj Rana and Mr. Jagjit,
Advocates with Petitioners in person

versus

**THE STATE GOVT. OF NCT OF DELHI
AND ANR.**

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with SI Veena, P.S. S.P. Badli
Mr. Jagjit, Advocate for R-2 with R-2
in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

20.08.2025

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1. Writ Petition under Article 226 of the Constitution of India of Constitution of India read with 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. 0725/2021 registered under Sections 498A/406/34 IPC at P.S. Samaipur Badli and all the proceedings emanating therefrom, in terms of the Settlement dated 02.09.2024.
2. Issue Notice.
3. Learned Standing Counsel 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 18.04.2014 according to the Hindu rites and ceremonies and one child, namely, Baby Diya Yadav aged about 06 years was born out of the said wedlock, who is at present under the care and custody of Respondent No. 2. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 are residing separately since 09.12.2018.

5. It is further submitted that on 23.09.2021, on the basis of complaint made by the Respondent No. 2, an FIR No. 0725/2021 under Sections 498A/406/34 IPC got registered at P.S. Samaipur Badli.

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 02.09.2024.

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 Petitioner/husband shall pay a sum of Rs.20,00,000/- 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.

9. It is stated that the Petitioner/husband shall pay first instalment of Rs.6,00,000/- to Respondent No.2/wife at the time of recording of statements



of both the parties before the Court under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.6,00,000/- shall be paid to the Respondent No. 2 at the time of recording of statement before the Court in Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.8,00,000/- shall be paid to the Respondent No.2 at the time of quashing the aforesaid FIR. It is also submitted that the parties shall withdraw all the proceedings pending against each-other.

10. It is stated that out of the settled amount, the Petitioner/husband has already paid Rs.12,00,000/- at the time of grant of First Motion and Second Motion, which is acknowledged by the Respondent No. 2. The balance amount of Rs.8,00,000/- has been paid today in the Court by way of Demand, which is accepted by the Respondent No. 2.

11. It is also stated that on 16.11.2024, the marriage between the Petitioner/husband and the Respondent No. 2/wife, had been dissolved by mutual consent, as per the Hindu law.

12. In view of the Settlement dated 02.09.2024, the present Petition has been filed.

13. 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. The parties have reaffirmed the terms of the Settlement dated 02.09.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

14. The Respondent No. 2/wife, who is present in the Court submits that she has received all amounts due to her and has no objection if the FIR is quashed.

15. 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.

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

17. Accordingly, FIR No. 0725/2021 registered under Sections 498A/406/34 IPC at P.S. Samaipur Badli 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.

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

NEENA BANSAL KRISHNA, J.

AUGUST 20, 2025

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