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

+ **CRL.M.C. 1856/2025**

AMIT KUMAR & ORS.

.....Petitioners

Through: Mr. Vishesh Kumar Raghav and Mr.
Ketan Panwar, Advocates.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, Ld.
APP for the State with ASI Rajiv P.S.
Burari and Insp. Ajay Crime Branch.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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30.04.2025

CRL.M.A. 8388/2025 (Seeking Exemption)

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

CRL.M.C. 1856/2025

3. The present Petition under Section 528 BNSS read with Section 482 Cr.P.C has been filed on behalf of the Petitioners seeking to quash the FIR No. 617/2017 registered under Sections 498A/406/506/34 of the Indian Penal Code, 1860 at Police Station Burari, Delhi.
4. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 05.12.2014 according to Hindu rites and ceremonies. The marriage was consummated between the them and

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one male child namely Kridhav was born from the wedlock. Due to some temperamental difference, both the parties started living separately since 26.03.2017.

5. It is further submitted that on the Complaint of Respondent No. 2, an FIR bearing No. 617/2017 under Sections 498A/406/506/34 of the Indian Penal Code, 1860 got registered at Police Station Burari.

6. It is stated that the during the pendency of the case, the Petitioner No.1 and Respondent No.2 settled their dispute amicably vide Settlement dated 09.10.2023 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. It is stated that petitioner No. 1/husband shall pay a sum of Rs. 7,35,000/- to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife. It is also stated that the Petitioner No. 1 has already paid Rs. 5,00,000 to Respondent No. 2/wife in two instalments viz., Rs.2,50,000/- was paid at the time of recording of statements in First Motion Petition under Section 13(b) of the Hindu Marriage Act, 1955 and another Rs.2,50,000/- was paid at the time of recording of statements in Second Motion Petition under Section 13(b)(2) of the Hindu Marriage Act, 1955.

7. It is further stated that the remaining third instalment of Rs. 2,35,000/- shall be paid by the Petitioner No. 1/husband at the time of quashing of FIR No. 617/2017.

8. It is also stated that on 28.09.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

9. In view of the Compromise Deed dated 09.10.2023, the present petition has been filed.

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10. 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.

11. The third instalment of Rs.2,35,000/- has been paid to the Respondent No. 2/wife by the petitioner No. 1, and the same has been confirmed by the Respondent No. 2/wife.

12. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 09.10.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

13. 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 09.10.2023 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

14. The Respondent No. 2/wife submits that she has been living separately from the petitioner No. 1/husband for the last eight years.

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

16. 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

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pursuant thereto.

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

18. Accordingly, FIR bearing No. 617/2017 dated 28.10.2017 registered at Police Station Burari, for offences punishable under Sections 498A/406/506/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

19. It is made clear that the Settlement herein is without prejudice to the rights of the child.

20. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

APRIL 30, 2025/va

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