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

+ CRL.M.C. 1984/2025

SUMIT ARORA & ORS.

.....Petitioners

Through: Counsel for Petitioners (appearance
not given) with Petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Yudhvair Singh Chauhan, APP for
the State with SI Sonu Chahar, PS
Vivek Vihar.
Dr. Ashish K.K. Kulshreshtha and
Ms. Seema Rani, Advocates for R2
with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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06.05.2025

CRL.M.A. 8891/2025 (Exemption)

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

CRL.M.C. 1984/2025

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. 284/2021 under Section 406/498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'Cr.P.C.'*) registered at Police Station Vivek Vihar, Shahdara, Delhi and all its consequential proceedings emanating therefrom.

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4. Issue Notice.
5. Mr. Yudhvair Singh Chauhan, 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 12.05.2018, according to the Hindu rites and ceremonies at La Cordiall Hall, Cross River Mall, Karkardooma, Shahdara, Delhi and one child, namely, Kanha @ Keshav Arora was born out of the said wedlock.
7. It is further submitted that on the Complaint of the Respondent No. 2, an FIR No. 284/2021 under Section 406/498A/34 of the IPC got registered at Police Station Vivek Vihar, Shahdara, 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 09.12.2024, before the learned Principal Judge, Family Court, Shahdara, Delhi. 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 7,20,000/- 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. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.2,50,000/- 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, out of which Rs.1,50,000/- shall be paid by way of Demand Draft and Rs.1,00,000/- shall be paid by FDR; the second instalment of Rs.2,20,000/- shall be paid by the

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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.2,50,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, out of which Rs.1,50,000 shall be paid by way of Demand Draft and Rs.1,00,000/- shall be paid by way of FDR, at the time of quashing the aforesaid FIR. It is also submitted that both the parties shall withdraw all the proceedings pending against each other. It was further agreed that the said FDRs shall be under the guardianship of the Petitioner No. 1 for the time till Master Keshav Arora attain the age of majority and the interest accrued thereupon shall be utilised by the Petitioner No. 1 for the welfare/education the child. It was also agreed that the custody of the child will remain with the wife till the age of majority and the husband shall have no visitation right in future.

9. It is stated that the Petitioner No. 1 has already paid the first instalment of Rs.2,50,000/- 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.2,20,000/- 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.2,50,000/- has already been paid by the Petitioner No. 1 to the Respondent No. 2.

10. It is also stated that on 23.12.2024 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 09.12.2024, the present Petition has been filed.

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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 09.12.2024 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 settlement arrived at *vide* Settlement Deed and they also submit that the said Settlement Deed dated 09.12.2024 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. 284/2021 under Section 406/498A/34 of the

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IPC registered at Police Station Vivek Vihar, Shahdara, Delhi and all consequential proceedings emanating therefrom are quashed.

20. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 6, 2025/RS

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