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

+ CRL.M.C. 2040/2025, CRL.M.A. 9189/2025 (stay)

CHETAN ANAND

.....Petitioner

Through: Mr. Udit Gupta, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Utkarsh, APP for the State with
Inspector Balbir Singh and SI Amit.
Ms. Geetika Gulati, Advocate for Mr.
Kushank Sindhu and Mr. Abhinav
Goyal, Advocates for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% 15.04.2025

CRL.M.A.9190/2025 (Exemption)

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

CRL.M.C. 2040/2025

3. The Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*)/Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'CrPC'*), has been filed on behalf of the Petitioner, Mr. Chetan Anand for quashing of FIR No. 317/2018 under Sections 66B/66C/66D of the IT Act and Section 464/469 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at Police Station Dwarka and all the proceedings emanating therefrom, in terms of the Settlement dated 07.03.2025.



4. Issue Notice.
5. Mr. Utkarsh, 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 Petitioner/husband and the Respondent No. 2/wife on 06.07.2012, according to the Hindu rites and ceremonies and one child, namely, Ziv Anand was born out of the said wedlock on 25.12.2013.
7. It is further submitted that on 04.10.2018, on the Complaint of the Respondent No. 2, an FIR No. 317/2018 under Sections 66B/66C/66D of the IT Act and Section 464/469 of the IPC, got registered at Police Station Dwarka South. The parties are living separately from each other since 26.02.2018.
8. It is stated that the Petitioner and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Memorandum of Understanding (MOU) dated 07.03.2025. In terms of the Settlement Deed dated 07.03.2025, the Statement of the parties have already been recorded before the learned Joint Registrar. In the Settlement Deed, it has been *inter alia* settled between the parties that they shall dissolve their marriage by means of a decree of divorce by mutual consent and shall file jointly first motion and second motion Petitions under Section 13-B (1) and 13-B (2) of the Hindu Marriage Act, before the learned Principal Judge, Family Courts, Delhi. It is stated that the Petitioner/husband shall pay a sum of Rs.18,00,000/- to the Respondent No. 2/wife, towards full and final settlement of all the claims in all respect i.e. towards permanent alimony/maintenance, in three equal instalments. It has been also stated that the Petitioner shall pay first instalment of Rs. 6,00,000/- to the Respondent



No. 2/wife, by way of a demand draft or by online transfer into the bank account of the Respondent No. 2, at the time of recording of statements of both the parties in the First Motion before the concerned Family Court at New Delhi and the second instalment shall be paid by the Petitioner to the Respondent No. 2, by way of a demand draft or by online transfer into the bank account of the Respondent No. 2, at the time of recording of statements in the Second Motion before the concerned Family Courts and the balance amount of Rs.6,00,000/- shall be paid by the Petitioner to the Respondent No. 2, at the time of quashing the aforesaid FIR. It has also been agreed between the parties that the Respondent shall not claim anything towards the dowry articles/Stridhan on account of the maintenance (past, present and future) for herself, permanent alimony or any property or gifts and the Petitioner also shall not claim anything from the Respondent/wife or from family members of the Respondent. It has been also settled between the parties that the minor child shall remain in the guardianship and custody of the father. It has been settled that the Respondent/wife shall have visitation rights with the minor child, without disrupting the academics of child. It has been settled that the parties shall take appropriate steps to withdraw all the proceedings before various Courts.

9. It is stated that the Petitioner has already paid the first instalment of Rs.6,00,000/- 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.6,00,000/- has already been paid by the Petitioner, 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.6,00,000/- has already been paid by the



Petitioner to the Respondent No. 2.

10. In view of the Settlement Deed dated 07.03.2025, the present Petition has been filed.

11. 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.

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

13. The parties have submitted that all the disputes have been amicably settled *vide* MOU dated 07.03.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present Petition has been signed by the Petitioner and is supported by his Affidavit. The parties have reaffirmed the terms of the Settlement arrived at *vide* MOU dated 07.03.2025 and they also submit that the said Memorandum of Understanding/MOU dated 07.03.2025 has been arrived at between the parties, without any pressure and coercion.

15. 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.

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, 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.



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

18. Accordingly, FIR No. 317/2018 under Sections 66B/66C/66D of the IT Act and Section 464/469 of the IPC registered at Police Station Dwarka and all consequential proceedings emanating therefrom are quashed.

19. In view of the Settlement dated 07.03.2025 and the submissions made by the parties, the Petition is disposed of accordingly. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J

APRIL 15, 2025/RS