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

+ **CRL.M.C. 2134/2025**

ABHISHEK KUMAR AND ORS.

.....Petitioners

Through:

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Rajkumar, APP for the State with
ASI Sanjay Kumar, P.S. Bindapur,
Delhi

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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28.04.2025

CRL.M.A. 9577/2025 (exemption)

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

CRL.M.C. 2134/2025

3. By way of the instant petition, the petitioners seek quashing of the FIR bearing no. 411/2023 dated 11.03.2023, registered at Police Station Bindapur, Delhi for the offences punishable under Sections 354/509/498A/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. Mr. Rajkumar, the learned APP accepts notice on behalf of the State.
5. The petitioners and respondent no. 2 are present before this Court. They have been identified by their counsel and concerned Investigating

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Officer (IO) from Police Station Bindapur, Delhi.

6. Briefly stated, facts of the present case are that the marriage between petitioner no.1 and respondent no. 2 got solemnized on 04.03.2022, according to Hindu rites and customs. No child was born out of the said wedlock. It is stated that due to temperamental differences, respondent no. 2 had left the matrimonial home and started residing with her parents since 01.09.2022. Thereafter, respondent no. 2 had lodged the present FIR before the Police Station Bindapur, New Delhi, against the petitioners. It is stated that due to intervention of elders and family, the matter got settled between the parties and the disputes were amicably settled *vide* Memorandum of Understanding/Settlement Deed dated 15.02.2025, wherein the petitioner no. 1 had agreed to pay a total sum of Rs. 8,00,000 (Rupees Eight Lacs Only) to respondent no. 2 as full and final settlement. It is stated that Rs.3,00,000/- had been paid by petitioner no. 1 to respondent no. 2 at the time of recording of their statement in the First Motion Petition, under Section 13B (1) of the Hindu Marriage Act, 1955 (hereafter '*HMA*'), for divorce by way of mutual consent. It is stated that Rs. 3,00,000/- had been paid by petitioner no.1 to respondent no. 2, at the time of recording their statement in the Second Motion Petition under Section 13B (2) of the HMA, and the divorce decree was granted by way of mutual consent before the learned Principal Judge, Family Courts, Dwarka Courts, New Delhi *vide* Order and Judgment dated 12.03.2025.

7. It is stated that both the parties have amicably settled the present matter *vide* Memorandum of Understanding/Settlement Deed dated 15.02.2025, entered between them and their statements to the said effect have been recorded by the learned Joint Registrar (Judicial) on 28.03.2025.

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8. On a query made by this Court, respondent no.2 who has been identified by the concerned IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no. 2 that the entire dispute has been amicably settled between them. Respondent no. 2 further stated that she has received the entire amount towards full and final settlement of all her claims including maintenance (past, present and future), permanent alimony and stridhan etc. and has no objection, if the present FIR is quashed.

9. In view of the above facts that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would, thus, be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing No. 411/2023 dated 11.03.2023, registered at Police Station Bindapur, Delhi for the offences punishable under Sections 354/509/498A/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. In view of the above, the present petition stands disposed of.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 28, 2025/ns

[Click here to check corrigendum, if any](#)