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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2172/2025**
GURJEET SINGH & ANR.Petitioners

Through: Mr. Praveen Kumar, Advocate with
Petitioners.

versus

STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Seema, PS Dwarka South.
Respondent No. 2 in person.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
14.05.2025

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CRL.M.A. 9813/2025 (Exemption)

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

CRL.M.C. 2172/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'B.N.S.S.') read with Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'CrPC') has been filed on behalf of the Petitioners, for quashing of FIR No. 115/2024 under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC'), registered at Police Station Dwarka South, New Delhi

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and all the proceedings emanating therefrom, in terms of the Settlement Agreement dated 04.01.2025.

4. Issue Notice.

5. Mr. Shoaib Haider, 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 31.10.2021, according to the Hindu Rites and ceremonies and no child was born out of the said wedlock.

7. It is further submitted that the Respondent No. 2 filed a Petition bearing MC No. 890/2023 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against the Petitioner No. 1 upon which an FIR No.115/2024 dated 03.04.2024 under Sections 498A/406/34 IPC got registered at Police Station Dwarka South, New Delhi. Both the parties are living separately since June, 2023.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Petitioner No. 1 and the Respondent No. 2. 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 Settlement Agreement dated 04.01.2025, before the Mediation Centre, Dwarka Courts, New Delhi. In terms of the Settlement Agreement, the Statement of the parties have already been recorded before the learned Joint Registrar. In the Settlement Agreement, it was inter alia settled between the parties that both the parties shall withdraw their respective cases. It is stated that the Petitioner No. 1/husband shall pay a sum of 6,50,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present

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and future maintenance, balance 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.1,00,000/- to Respondent No. 2/wife by way of Demand Draft at the time of recording of the statement in the First Motion Divorce Petition under Section 13B(1) of HMA; the second instalment of Rs.1,00,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, at the time of recording of joint statements in the second Motion Divorce Petition under Section 13B (2) HMA. It is also stated that the third instalment of Rs.4,50,000/- shall be paid by the Petitioner No. 1 by way of Demand Draft to the Respondent No. 2, at the time of quashing of the said FIR.

9. It is stated that the Petitioner has already paid the first instalment of Rs.1,00,000/- to the Respondent No. 2; the second instalment of Rs.1,00,000/- has already been paid by the Petitioner to the Respondent No. 2 and the third instalment of Rs.4,50,000/- has also been paid by the Petitioner to the Respondent No.2/wife.

10. It is also stated that on 07.03.2025, 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 Agreement dated 04.01.2025, the present Petition has been filed.

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

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13. The parties have submitted that all the disputes have been amicably settled vide Settlement Agreement dated 04.01.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present Petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of the settlement Agreement and they also submit that the said Settlement Agreement 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. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

17. Accordingly, FIR No. 115/2024 under Sections 498A/406/34 IPC registered at Police Station Dwarka South, Delhi and all consequential proceedings emanating therefrom are quashed.

18. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 14, 2025/RS

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