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

+ **CRL.M.C. 2336/2025**

ATUL AND ORS

.....Petitioners

Through: Mr. Surender Choudhry, Advocate
with Petitioners.

versus

STATE AND ANR

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State with SI Ravinder Singh,
W/SI Bala Rani Main IO, PS Mohan
Garden.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **02.05.2025**

CRL.M.A. 10536/2025 (Exemption)

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

CRL.M.C. 2336/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*old Section 482 of the Code of Criminal Procedure, 1973*), has been filed on behalf of the Petitioners for quashing of FIR No. 665/2021 dated 25.11.2021 under Section 406/498A/34 of the Indian Penal Code, 1860 registered at Police Station Mohan Garden, New Delhi and subsequent proceedings emanating therefrom, in view of the Settlement dated 29.04.2022.
4. Issue Notice.
5. Mr. Yudhvir Singh Chauhan, learned APP appearing on advance Notice, accepts Notice on behalf of the State.

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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 17.02.2016, according to the Hindu rites and ceremonies at Vedic Vivah Trust, Ramesh Nagar, New Delhi. On 23.07.2018, one female child, namely, Navya Tanwar and on 11.09.2023, one male child, namely, Siddharth Tanwar, were born out of the said wedlock.

7. It is further submitted that on 25.11.2021, on the Complaint of the Respondent No. 2, an FIR No. 665/2021 dated 25.11.2021 under Section 406/498A/34 of IPC, got registered at Police Station Mohan Garden, New Delhi.

8. It is submitted that the Petitioner No. 1 and the Respondent No. 2 lived together till 28.09.2021 and on 28.09.2021, the Respondent No. 2 left her matrimonial home.

9. It is further stated that due to intervention of family members, common friends, relations and other respectable persons of the Society, the Petitioner No. 1 and the Respondent No. 2 have amicably settled all the disputes and differences between them before the Mediation Centre, Dwarka Courts, New Delhi and arrived at Settlement dated 29.04.2022. The parties have started residing together since 08.05.2022. In terms of the MOU dated 29.04.2022, the Statement of the parties have already been recorded before the learned Joint Registrar.

10. In view of the Settlement dated 29.04.2022, 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

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

12. The parties have submitted that all the disputes have been amicably settled *vide* Settlement dated 29.04.2022 and thus, no fruitful purpose will be served in continuing with the FIR.

13. The present Petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement dated 29.04.2022 and they also submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

14. Today, the Respondent No. 2/wife, who is present in the Court, states that she has no objection if the FIR is quashed.

15. 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.

16. Accordingly, FIR No. 665/2021 dated 25.11.2021 under Section 406/498A/34 IPC registered at Police Station Mohan Garden, New Delhi and all consequential proceedings emanating therefrom are quashed.

17. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 2, 2025/RS

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