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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2443/2025**
HIMANSHU SHARMA AND ORSPetitioners

Through: Mr. Ranvir Vats and Mr. Sahil Vats,
Advocates with Petitioners.

versus

STATE (GNCT OF DELHI) AND ANRRespondents

Through: Mr. Yudhvair Singh Chauhan, APP for
the State with SI S.K. Jha, PS Burari.
Counsel for the R2 (appearance not
given) with R2.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
14.05.2025

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CRL.M.A. 10930/2025 (Exemption)

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

CRL.M.C. 2443/2025

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. 166/2023 under Sections 354/354A/354B/498A/406/34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC'), registered at Police Station Burari,

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Delhi and all the proceedings emanating therefrom, in terms of the Settlement Agreement dated 18.11.2024.

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 05.02.2022, according to the Hindu Rites and ceremonies and no child was born out of the said wedlock.

7. It is submitted that the Petitioner No. 1 is the husband and the Petitioner No. 2 is the father-in-law, the Petitioner No. 3 is the mother-in-law, Petitioner No. 4 is the brother-in-law, Petitioner No. 5 is the sister-in-law and the Petitioner No. 6 is the sister-in-law/Nanad of the Respondent No. 2. Later on, due to the temperamental differences, both the parties started living separately since 17.09.2022. Thereafter, the Respondent No. 2 had filed a Complaint Case under Section 12 of the Protection of Women from Domestic Violence Act, 2005 bearing CT Case No. 1264/2022 before the learned Trial Court against the Petitioner No. 1 and Maintenance Case under Section 125 CrPC had also been filed by the Respondent No. 2 against the Petitioner No. 1 before the learned Trial Court.

8. Due to intervention of the counsel, as well as, the relatives of the parties, the Petitioners and the Respondent No. 2 arrived at an amicable Settlement vide Settlement Deed dated 18.11.2024. In terms of the Settlement Deed, 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 both the parties shall withdraw their

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respective cases. It was settled that the Petitioner No. 1/husband shall pay a sum of 13,00,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present 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 the first instalment of Rs.5,00,000/- to Respondent No. 2/wife 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.5,00,000/- 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 settled that the third instalment of Rs.3,00,000/- shall be paid by the Petitioner No. 1 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.5,00,000/- to the Respondent No. 2; the second instalment of Rs.5,00,000/- has already been paid by the Petitioner to the Respondent No. 2 and the third instalment of Rs.3,00,000/- has also been paid by the Petitioner to the Respondent No.2/wife.

10. It is also stated that on 10.01.2025, 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 18.11.2024, 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

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by the terms of the Settlement.

13. The parties have submitted that all the disputes have been amicably settled vide Settlement Deed dated 18.11.2024 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. 166/2023 under Sections 354/354A/354B/498A/406/34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC'), registered at Police Station Burari, Delhi and all consequential proceedings emanating therefrom are quashed. The Complainant is directed to deposit a cost of Rs.15,000/- and Rs.10,000/- by the Petitioners with the Delhi High Court Advocates' Welfare Trust in case

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the cost has not paid within seven days, the matter be placed before the learned Registrar General for recovery of the said cost.

18. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 14, 2025/RS

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