



\$~49

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

+ **CRL.M.C. 2466/2025**

SUDHIR KUMAR GAUR

.....Petitioner

Through: Ms. Babli Kala, Mr. Sujeet Kumar
Singh, Advocates with Petitioners.

versus

STATE (GNCTD) & ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with
SI Ashok Kumar and ASI Kanwal
Kaur, PS Jagat Puri.
Counsel for the Complainant with
Complainant in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **15.07.2025**

CRL.M.A. 11051/2025 (Exemption)

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

CRL.M.C. 2466/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (earlier Section 482 of the Code of Criminal Procedure, 1973) (*hereinafter referred to as 'Cr.PC'*), has been filed on behalf of the Petitioner, Sudhir Kumar Gaur for quashing of FIR No.0188/2022 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Jagat Puri, Shahdara, KKD, Delhi and all the consequential proceedings emanating therefrom, in view of the Settlement/No Objection Certificate/Affidavit *inter*



se the parties.

4. Issue Notice.

5. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.

6. Brief facts of the case are that the marriage was solemnized between the Petitioner/husband and the Respondent No. 2/wife on 11.07.2013, according to the Hindu rites and ceremonies and two children, namely, Master Suryansh and Master Rudraansh, were born out of the said wedlock.

7. On the Complaint of the Respondent No.2/Complainant, FIR No.0188/2022 under Section 498A/406/34 IPC, got registered at Police Station Jagat Puri, Shahdara, KKD, Delhi. In the year 2022, the Respondent No. 2 filed a Petition bearing MT 12/2022 under Section 125 Cr.P.C., for maintenance against the Petitioner, before the Family Judge, Shahdara, KKD, Delhi and the Domestic Violence Petition bearing CT No. 1767/2021 also filed, before the learned Metropolitan Magistrate, Shahdara, KKD, Delhi.

8. It is submitted that the said FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner. 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/No Objection Certificate/Affdiavit dated 04.04.2025, filed by the Respondent No. 2. In the Settlement, it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner/husband shall resolve all their disputes amicably and to end all civil or criminal litigations against each other and since then living together along with their kids. The Complaint Case under Section 125 Cr.P.C. and the Petition under D.V. Act, have already been



withdrawn, copy of which have been annexed along with the Petition. The Petition is also supported with the Affidavit of the Respondent No. 2, dated 04.04.2025.

9. Today, the Respondent No. 2/wife, who is present in the Court and has submitted that she is living happily in the matrimonial home, for the last two years and has two children. She further states that she has no objection if the said FIR is quashed.

10. Both the parties have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

11. Considering the Statement of the parties and the Affidavit of the Respondent No. 2, the FIR No. No.0188/2022 under Section 498A/406/34 IPC, registered at Police Station Jagat Puri, Shahdara, KKD, Delhi and all the consequential proceedings emanating therefrom are quashed.

12. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

JULY 15, 2025/RS