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

+ **CRL.M.C. 2627/2025**

NITIN SAINI AND ORS.

.....Petitioners

Through: Mr. Mayank Sharma and Mr. Vishal
Khatri, Advocates with Petitioners.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Shivendra Singh, ASI
Suryakant, PS Bharat Nagar.
Mr. Vikas Kr. Bhardwaj, Advocate
for Complainant with Complainant.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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16.05.2025

CRL.M.A. 11816/2025 (Exemption)

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

CRL.M.C. 2627/2025

3. The Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (Section 482 of the Code of Criminal Procedure, 1973) has been filed on behalf of the Petitioners for quashing of FIR No.87/2020 dated 20.03.2020 under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at Police Station Bharat Nagar and all the proceedings emanating therefrom, in terms of the Settlement dated 13.12.2024.
4. Issue Notice.
5. Learned APP appearing on advance Notice, accepts Notice on behalf

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of the State.

6. Brief facts of the case are that the marriage was solemnized between Petitioner No. 1/husband and the Respondent No. 2/wife on 28.04.2017, according to the Hindu rites and ceremonies and no child was born out of the said wedlock.

7. On 20.03.2020, on the Complaint of the Respondent No. 2, FIR No.87/2020 dated 20.03.2020 under Sections 498A/406/34 IPC got registered at Police Station Bharat Nagar.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement dated 13.12.2024, before the Mediation Centre, Dwarka Courts, New Delhi. In terms of the Settlement dated 13.12.2024, the Statement of the parties have already been recorded before the learned Joint Registrar. In the Settlement, it was inter alia settled between the parties that the Respondent No. 2/wife and the Petitioner No.1/husband shall dissolve their marriage by decree of mutual consent. It is stated that the Petitioner No.1/husband shall pay a sum of Rs.32,00,000/- 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 first instalment of Rs.10,00,000/- by way of DD to Respondent No. 2/wife, at the time of recording of statements of both the parties before the Court under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs. 10,00,000/- shall be paid by the Petitioner No. 1 by way of DD to the Respondent No. 2, at the time of

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recording of statements before the Court of Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.12,00,000/- shall be paid by the Petitioner No. 1 by way of Bank Draft to the Respondent No. 2, at the time of quashing the aforesaid FIR. It is also submitted that the parties shall withdraw all the proceedings pending against each other.

9. It is stated that the Petitioner No. 1 has already paid the first instalment of Rs.10,00,000/- to the Respondent No. 2, at the time of recording of statements in First Motion Petition under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.10,00,000/- has already been paid by the Petitioner No. 1, to the Respondent No. 2, at the time of recording of statements in Second Motion Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.12,00,000/- has already been paid by the Petitioner No. 1 to the Respondent No. 2.

10. It is also stated that on 17.03.2025, 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 Deed dated 13.12.2024, 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 by the terms of the Settlement.

13. The parties have submitted that all the disputes have been amicably

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settled vide Settlement Deed dated 13.12.2024 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 arrived at vide Settlement Deed dated 13.12.2024 and they also submit that the said Settlement 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.87/2020 dated 20.03.2020 under Sections 498A/406/34 IPC registered at Police Station Bharat Nagar and all consequential proceedings emanating therefrom are quashed.

18. In view of the nature of the dispute and the Settlement inter se the parties, the Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 16, 2025/RS

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