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

+ **CRL.M.C. 2708/2025 & CRL.M.A. 12137/2025**

YAMAN KUMAR BHASIN & ORS.

.....Petitioners

Through: Ms. Namita Dandonay, Mr. Vishal
Tomar and Mr. Akhilesh Rajpur,
Advocates with Petitioners No. 1 to 3
in person

versus

GOVT OFNCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Jaswant Singh and SI Ankit,
P.S. Moti Nagar
Mr. Manish Kumar, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **03.07.2025**

1. 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 (*hereinafter referred to as 'Cr.P.C.'*) has been filed on behalf of the Petitioners for quashing of FIR No. 0438/2019 dated 12.10.2019 under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at P.S. Moti Nagar and all the proceedings emanating therefrom, in terms of the Settlement Deed dated 09.05.2024.

2. Issue Notice.

3. Mr. Shoaib Haider, learned APP appearing on advance Notice,



accepts Notice on behalf of the State. Learned Counsel for the Respondent No. 2 appears and accepts Notice.

4. Brief facts of the case are that the marriage between Petitioner/husband and the Respondent No. 2/wife was solemnized on 12.09.2010, according to the Hindu rites and ceremonies and no child was born out of the said wedlock. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 are residing separately since 20.05.2019.

5. It is further submitted that on 12.10.2019, on the basis of complaint made by the Respondent No. 2, an FIR No. 0438/2019 under Sections 498A/406/34 IPC, got registered at P.S. Moti Nagar.

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner/husband. 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 Deed dated 09.05.2024.

7. In terms of the Settlement Deed dated 09.05.2024, the Statements of the parties have already been recorded before the learned JR.

8. In the Settlement, it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner/husband shall dissolve their marriage by decree of mutual consent under Section 13-B(1) and 13-B(2) of Hindu Marriage Act, 1955, from the Court of learned Principal Family Judge, Delhi. It is stated that the Petitioner/husband shall pay a sum of Rs.16,50,000/- 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/husband shall pay first instalment of Rs.5,50,000/- 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.5,50,000/- shall be paid to the Respondent No. 2 at the time of recording of statement before the Court in Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.5,50,000/- shall be paid by the Petitioner/husband by way of Bank Draft/Pay Order 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/husband has already paid the settled amount of Rs.16,50,000/- to the Respondent No. 2, which is accepted by the Respondent No. 2.

10. It is also stated that on 10.01.2024, the marriage between the Petitioner/husband and the Respondent No. 2/wife, had been dissolved by mutual consent, as per the Hindu law.

11. In view of the Settlement Deed dated 09.05.2024, 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 concerned Investigating Officer. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily and have undertaken to remain bound by the terms of the Settlement.

13. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 09.05.2024 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 Deed dated 09.05.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

15. The Respondent No. 2 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.

17. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

18. Accordingly, FIR No. 0438/2019 dated 12.10.2019 under Sections 498A/406/34 IPC registered at P.S. Moti Nagar and all consequential proceedings emanating therefrom are quashed.

19. The Petition alongwith pending Application, is disposed of accordingly.

NEENA BANSAL KRISHNA, J

JULY 3, 2025

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