



2025:DHC:3768



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

% **Date of decision: 07.05.2025**

+ CRL.M.C. 2868/2025

AJAY KUMAR AND ORS.

.....Petitioners

Through: Mr. Gurpreet Singh, Adv. along
with all the petitioners.

versus

GOVT OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Satish Kumar, APP with SI
Reena, PS Ranjit Nagar.
Ms. Radhika Sharma and Mr.
Vipin, Advs. for R-2 along with
R-2.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 801/2023 dated 27/09/2023 for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860, registered at Police Station Ranjit Nagar (“subject FIR”) and all other proceedings emanating therefrom.

2. The learned counsel for the petitioners submits that the respondent no. 2 is wife of the petitioner no. 1 and their marriage was



2025:DHC:3768



solemnized on 09.02.2022 at Delhi, as per the Hindu rites and ceremonies and that no child has been born out of the said wedlock. He submits that the incompatible behaviour, conduct and temperament of the parties led to the registration of the subject FIR.

3. The learned counsel submits that due to the irreconcilable and temperamental differences, the marriage of the petitioner no.1 and the respondent no. 2 has suffered an irretrievable breakdown and the parties have been living separately since a long time.

4. He further submits that with the intervention of the family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of their disputes and that no further dispute subsists in relation thereto and the divorce by way of mutual consent has also taken place between the parties *vide* the divorce decree dated 30.01.2025 passed by the learned Principal Judge, Family Court, Central District, Tis Hazari Courts Delhi.

5. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Memorandum of Understanding/Settlement Deed dated 05.11.2024 has been duly executed between the petitioner no. 1 and the respondent No. 2. It is further submitted that, in terms of the said Settlement/MoU, respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora. The Settlement Deed dated 05.11.2024 outlining the terms of settlement has been placed on



2025:DHC:3768



record.

6. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 29.04.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in his statement before the Joint Registrar (Judicial), has stated therein, that he has no objection if the subject FIR and all the proceedings emanating therefrom is quashed.

7. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

8. The complainant/respondent no. 2, who is present-in-person before this Court, upon being queried, confirms that the Settlement Deed dated 05.11.2024 as been entered into between the parties and that in full and final settlement of all her claims including maintenance (past, present and future), stridhan, dowry, articles, jewellery, permanent alimony etc. she has received a sum of Rs. 5,50,000/- from petitioner no. 1 as full and final settlement, in compliance of the terms of the said Settlement. The respondent no. 2 also confirms that the marriage has been dissolved *vide* the decree dated 30.01.2025 and that she has received the entire settlement amount.

9. In view of the foregoing, the learned counsels of the parties, jointly prayed, for quashing of the subject FIR.

10. In view of these circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab &***



2025:DHC:3768



Anr.: (2012) 10 SCC 303 as also in **Narinder Singh & Ors. vs. State of Punjab &** **Anr.:** (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

11. In conspectus of the above facts and the Settlement Deed dated 05.11.2024, the subject FIR bearing No. 801/2023 dated 27/09/2023 for offences under Sections 498A, 406 and 34 of the Indian Penal Code, 1860, registered at Police Station Ranjit Nagar and all consequential proceedings emanating therefrom, are hereby quashed.

12. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 7, 2025/ss/kp

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