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

+ CRL.M.C. 3209/2025, CRL.M.A.14168/2025

NITIN KUMAR & ORS.

.....Petitioners

Through: Mr. Amit Chaubey and Mr. Rahul
Kumar, Advocates with Petitioners.

versus

STATE OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Utkarsh, APP for the State with
SI Manju, D-5671, PS Sagarpur S/V
Nitin Kumar.
Mr. Aagam Jain, Advocate for R2
with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **23.05.2025**

CRL.M.A. 14167/2025 (Exemption)

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

CRL.M.C. 3209/2025

3. Petition under Section 482 of the Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sahita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioners, for quashing of the FIR No.425/2019 dated 18.09.2019 under Section 498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) reregistered at Police Station Sagarpur and all the consequential proceedings emanating therefrom.
4. Issue Notice.

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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 No.1/husband and the Respondent No. 2/wife on 08.02.2018, according to the Hindu rites and ceremonies and no child was born out of the said wedlock.
7. It is further submitted that on the Complaint of the Respondent No. 2, an FIR No. 425/2019 dated 18.09.2019 under Section 498A/34 IPC got reregistered at Police Station Sagarpur, against the Petitioners. It is stated that due to temperamental differences, they have been residing separately since 15.11.2018.
8. The matter has been amicably settled between the parties *vide* Settlement Deed on 01.08.2021, which bears the signatures of all the parties and both the parties have settled all their grievances. In the Settlement Deed, it was agreed between the parties that the Petitioner No.1 shall pay the total amount of Rs.4,00,000/- to the Respondent No. 2 as full and final settlement (*against stridhan and dowry, maintenance towards past, present and future*). It was also agreed that the first instalment of Rs.1,00,000/- shall be paid by the Petitioner No.1 to the Respondent No.2 at the time of recording of the Statement of first motion Petition before the learned Trial Court. The second instalment of Rs.1,50,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2 at the time of recording of the second Motion Petition and the third instalment of Rs.1,50,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2 at the time of quashing the said FIR. It was further agreed that the parties shall withdraw all the pending cases against each other.

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9. The parties are present in person and have been identified by their learned counsel and the Investigating Officer concerned. It is submitted by learned Counsel for the Respondent No. 2 that the Respondent No. 2 had already received one Cheque bearing No. 908207 dated 10.09.2021 for a sum of Rs.1,00,000/- payable at Punjab National Bank, Janakpuri-58; the second Cheque No. 908208 for a sum of Rs.1,50,000/- dated 01.02.2022 payable at PNB Janakpuri New Delhi-58 and the third Cheque No. 908209 for a sum of Rs.1,50,000/- payable at PNB Janakpuri, New Delhi-58.

10. It is also stated that on 17.08.2022, the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. The Statements of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

12. Considering the nature of the allegations and that they have settled the matter, the FIR No. 425/2019 dated 18.09.2019 under Section 498A/34 IPC reregistered at Police Station Sagarpur and all the consequential proceedings emanating therefrom are quashed

13. The Petition is disposed of accordingly. Pending Application also stands disposed of.

NEENA BANSAL KRISHNA, J

MAY 23, 2025/RS

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