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

+ **W.P.(CRL) 1559/2025 & CRL.M.A. 14544/2025**

PRATEEK BAHRI & ANR.

.....Petitioners

Through: Ms. Sakshi Kaul, Advocate with
Petitioners in person

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Amol Sinha, ASC with
Mr. Kshitix Garg, Mr. Ashvini umar,
Mr. Nitish Dhawan, Ms.Chavi
Lazarus and Ms. Sanskriti Nimbekar,
Advocates for the State alongwith SI
Neelu, P.S. Dwarka North
Mr. Chirag Kaushik, Advocate for
R-2 with R-2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

01.07.2025

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1. Petition under Article 226 of Constitution of India read with 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. 0121/2021 dated 09.03.2021 under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at P.S. Dwarka North and all the proceedings emanating therefrom, in terms of the Memorandum of Understanding dated 21.03.2025.

2. Issue Notice.



3. Mr. Amol Sinha, learned ASC appearing on advance Notice, accepts Notice on behalf of the State. Learned Counsel appearing on behalf of the Respondent No. 2, accepts Notice.

4. Brief facts of the case are that the marriage between Petitioner/husband and the Respondent No. 2/wife was solemnized on 05.01.2012 at Delhi, according to the Hindu rites and ceremonies and no child was born out of the said wedlock. The Petitioner No. 1 and the Respondent No. 2 were residing in Canada but due to temperamental and certain matrimonial issues, they started residing separately since 18.09.2018 and returned to India.

5. It is further submitted that on 09.03.2021, on the basis of complaint made by the Respondent No. 2, an FIR No. 0121/2021 under Sections 498A/406/34 IPC was registered at P.S. Dwarka North.

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Respondent No. 2 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 *vide* Memorandum of Understanding dated 21.03.2025.

7. The Petitioners and the Respondent No. 2 have appeared through VC, who have been identified by the IO. Both the parties have endorsed that they have entered into the Settlement voluntarily and accepted the terms thereof without any fear, force or coercion and have undertaken to remain bound by the terms of the Settlement.

8. The Petitioner has already been granted divorce *ex-parte* by the Supreme Court of British Columbia *vide* decree of divorce dated 21.06.2021. All the disputes in regard to alimony, maintenance or financial



support of any nature has also been amicable settled as recorded in Settlement.

9. The present Petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of the Memorandum of Understanding dated 21.03.2025 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

10. 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.

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

12. Accordingly, FIR No. 0121/2021 under Sections 498A/406/34 of the IPC registered at P.S. Dwarka North and all consequential proceedings emanating therefrom are quashed.

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

NEENA BANSAL KRISHNA, J

JULY 1, 2025

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