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

+ **CRL.M.C. 3508/2025**

NAND KISHORE AND ORS

.....Petitioners

Through: Mr. Mohit Chaurasia, DHCLSC with
Mr. Chetanya Puri, Advocate

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Anup Rana, P.S. Hari Nagar

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **26.05.2025**

CRL.M.A. 15486/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CRL.M.C. 3508/2025

3. The present Petition under Section 528 BNSS, 2023 has been filed on behalf of the Petitioners for quashing the FIR No. 314/2008 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 at Police Station Hari Nagar, Delhi.

4. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 11.05.2006 according to Hindu rites and ceremonies. It is stated that a female child namely Kajal was born out of the said wedlock, who is presently in the custody of Respondent No.2. Due to certain temperamental differences and incompatibility, the parties started residing separately since September, 2007.



5. It is further submitted that on the complaint of respondent No. 2, an FIR bearing No. 314/2008 under Sections 498A/406/34 of the Indian Penal Code, 1860 got registered at Police Station Hari Nagar.
6. It is stated that the matter was referred to Mediation Centre, where both the parties amicably settled all the disputes and differences vide Compromise Deed dated 15.09.2023, and 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 and the Respondent No.2 agreed not to claim any maintenance/alimony from the Petitioners.
7. It is stated that the child Kajal shall remain in the custody of Respondent No. 2/wife and the Petitioner No.1/husband shall have no visitation rights.
8. It is also stated that on 16.11.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.
9. In view of the Compromise Deed dated 15.09.2023, the present petition has been filed.
10. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.
11. The parties have submitted that all the disputes have been amicably settled vide Compromise Deed dated 15.09.2023 and thus, no fruitful purpose will be served in continuing with the FIR.
12. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the



terms of the settlement arrived at vide Compromise Deed dated 15.09.2023 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

13. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she would not claim any maintenance/alimony from the Petitioner and has no objection if the FIR is quashed. However, the Settlement dated 15.09.2023, is without prejudice to the rights and contentions of the child Kajal.

14. 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, I am of the opinion that 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.

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

16. Accordingly, FIR bearing No. 314/2008 registered at Police Station Hari Nagar, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

17. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

MAY 26, 2025

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