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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3559/2025**

GAURAV SINGHPetitioner
Through: **Mr.Dheeraj Tanwar, Advocate**

versus

STATE OF NCT OF DELHI & ANR.Respondents
Through: **Mr. Shoaib Haider, APP for State**
with SI Vikas Kundu and SI
Shubham, PS Naraina West District

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **28.05.2025**

Crl.M.A. No. 15696/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

Crl. M.C. 3559/2025

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita ('BNSS') has been filed on behalf of the petitioner and Respondent No.2 seeking quashing of the case arising out of FIR bearing No. 128/2015, registered at Police Station Naraina, for an offence punishable under Sections 498A of the Indian Penal Code, 1860 ('IPC') and all the proceedings emanating therefrom.
4. Mr. Shoaib Haider, learned APP appearing on advance Notice, accepts Notice on behalf of the State.



5. Brief facts of the case are that the marriage was solemnized between Petitioner and respondent No. 2 on 03.01.2014, according to the Hindu rites and ceremonies and one girl child, namely, Hiral was born out of the said wedlock.

6. It is further submitted that on 11.03.2015, on the complaint of the Respondent No. 2, an FIR No. 128/2015 dated 11.03.2015 under Sections 498A of the IPC, got registered at Police Station Naraina.

7. It is stated that the Petitioner and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Memorandum of Settlement (MOU) dated 15.04.2025. In terms of the MOU dated 15.04.2025, the Statement of the parties have already been recorded. In the MOU, 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. It is stated that the Petitioner /husband shall pay a sum of Rs.2,00,000/- towards full and final settlement of all the claims of the Respondent No. 2/wife, in two equal instalments. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.50,000/- to Respondent No. 2/wife, at the time of withdrawal of Execution Petition bearing No.42/2024 and the second instalment of Rs.1,50,000/- shall be paid to the Respondent No. 2, at the time of quashing of the subject FIR.

8. It is stated that the Petitioner has already paid the first instalment of Rs. 50,000/- to the Respondent No. 2, at the time of withdrawal of execution petition.

9. It is also stated that on 03.07.2024, the marriage between the Petitioner No. 1 and the Respondent No. 2, had been dissolved as per the



Hindu law.

10. In view of the Settlement Deed dated 15.04.2025, the present Petition has been filed.

11. The parties are present before this Court in-person today and have been identified by their learned counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

12. The parties 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 15.04.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present Petition has been signed by the Petitioner No.1 and is supported by his Affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 15.04.2025 and they also submit that the said MOU dated 15.04.2025 has been arrived at between the parties, without any pressure and coercion.

15. Today, the Respondent No. 2/wife, who is present in the Court, 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. The custody of the child has been agreed to remain permanently with the Respondent No. 2/wife.

18. Accordingly, No. 128/2015, registered at Police Station Naraina, for an offence punishable under Sections 498A of the Indian Penal Code, 1860 ('IPC') and all the proceedings emanating therefrom are quashed. However, it is clarified that the said Settlement is without prejudice to the rights of the minor, in accordance with law.

19. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

MAY 28, 2025/SV

[Click here to check corrigendum, if any](#)