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

+ CRL.M.C. 3560/2025

RAHUL DEWAN & ORS.

.....Petitioners

Through: Mr. Rakesh Kumar Dhanda,
Mr. Mehraj Chaudhary, Mr. Mohit
Rastogi and Mr. Altaf, Advocates
with Petitioners in person

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Chetan P.S. Paschim Vihar,
R-2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

22.08.2025

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1. Petition under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023/Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners seeking quashing of FIR No. 0194/2024 registered under Sections 498A/406/34 IPC at P.S. Paschim Vihar and all the proceedings emanating therefrom, in terms of Memorandum of Understanding dated 24.07.2024.
2. Issue Notice.
3. Learned APP for the State appearing on advance Notice, accepts Notice on behalf of the State.
4. Brief facts of the case are that the marriage between Petitioner/husband and the Respondent No. 2/wife was solemnized on 11.12.2005, according to the Hindu rites and ceremonies and one child,



namely, Master Daksh Dewan aged about 17 years was born out of the said wedlock, who are at present under the care and custody of Petitioner/husband. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 are residing separately since June, 2022.

5. It is further submitted that on 24.02.2024, on the basis of complaint made by the Respondent No. 2, an FIR No. 0194/2024 under Sections 498A/406/34 IPC got registered at P.S. Paschim Vihar.

6. The parties are present before this Court in-person today and have been identified by their respective Counsel.

7. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner/husband. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Memorandum of Understanding dated 24.07.2024.

8. In the Settlement, 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 under Section 13-B(1) and 13-B(2) of Hindu Marriage Act, 1955, from the Court of learned Principal Family Judge, Delhi. It is stated that the Petitioner/husband shall pay a sum of Rs.11,00,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance *istridhan* and alimony of the Respondent No. 2/wife.

9. It is stated that the Petitioner/husband shall pay first instalment of Rs.3,00,000/- to Respondent No.2/wife at the time of recording of statements of both the parties before the Court under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.3,00,000/- shall be



paid at the time of signing of NOC within one month from the date of first motion for the transfer of property situated in Noida; third instalment of Rs.5,00,000/- shall be paid to the Respondent No. 2 at the time of recording of statements of both the parties before the Court under Section 13-B (2) of the Hindu Marriage Act, 1955. It is also submitted that the parties shall withdraw all the proceedings pending against each-other.

10. It is stated that out of the settled amount, the Petitioner/husband has already paid the entire settled amount of Rs.11,00,000/- to the Respondent No. 2, which is acknowledged by the Respondent No. 2.

11. It is also stated that on 28.10.2024, the marriage between the Petitioner/husband and the Respondent No. 2/wife, had been dissolved by mutual consent, as per the Hindu law.

12. In view of the Memorandum of Understanding dated 24.07.2024, the present Petition has been filed.

13. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily and have undertaken to remain bound by the terms of the Settlement. The parties have reaffirmed the terms of the Memorandum of Understanding dated 24.07.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

14. The Respondent No. 2/wife, who is present in the Court submits that she has received all amounts due to her and has no objection if the FIR is quashed.

15. 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.

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

17. Accordingly, FIR No. 0194/2024 registered under Sections 498A/406/34 IPC at P.S. PaschimVihar and all consequential proceedings emanating therefrom are quashed. It is hereby clarified that the said Settlement is without any prejudice to the rights and entitlements of the children, in accordance with law.

18. The Petition alongwith pending Applications, if any, is disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 22, 2025

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