



\$~75

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

+ **CRL.M.C. 3590/2025, CRL.M.A. 27812/2025**

CHANDER SHEKHAR GOGIA & ORS.Petitioners
Through: Mr. Yogesh Kumar Pal, Advocate.

versus

THE STATE (GOVT. OF NCT DELHI) & ANR.....Respondents
Through: Mr. Shoaib Haider, APP for the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **16.09.2025**

CRL.M.A. 15810/2025 (Exemption)

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

CRL.M.C. 3590/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*)/under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*), has been filed on behalf of the Petitioners, for quashing of FIR No. 0258/2019 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Moti Nagar and all the consequential proceedings emanating therefrom, on the basis of the Settlement dated 24.01.2025.
4. Issue Notice.
5. On advance Notice, learned APP has appeared and accepted the



Notice on behalf of the State.

6. Brief facts of the case are that the marriage was solemnized between Petitioner No.1/husband and the Respondent No. 2/wife on 14.02.2000, according to the Hindu rites and ceremonies and a baby boy was born out of the said wedlock on 15.10.2002. He is now of 22 years old. The parties are living separately since 16.01.2017.

7. On the Complaint of the Respondent No.2/Complainant, FIR No.0258/2019 under Section 498A/406/34 of IPC, got registered at Police Station Moti Nagar.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1. 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 24.01.2025, before the Delhi Mediation Centre, Tis Hazari Courts, Delhi. In the Settlement, it was *inter alia* settled between the parties that they decided to live separately as they were living since the day of their separation i.e. 16.01.2017. It is also settled between the parties that the Petitioner No. 1 shall pay maintenance amount of Rs.15,000/- per month to his wife Smt. Anju Gogia, during her lifetime. It is further settled between the parties that the Petitioner No. 1 shall bear the entire educational expenses of his son till he continue the study. It is also settled that both the parties shall withdraw their respective cases. It is further settled between the parties that they shall not file any case/complaint/litigation against each other.

9. Today, the Respondent No. 2/wife, who is present in the Court, states that she has no objection if the said FIR is quashed.



10. The parties are present before this Court in-person today, and have been identified by their Counsel and Investigating Officer concerned and 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.

11. Considering the nature of the allegations and that they have settled the matter, the FIR No.0258/2019 under Section 498A/406/34 of IPC, registered at Police Station Moti Nagar and all the consequential proceedings emanating therefrom are quashed.

12. The Petition is disposed of accordingly. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 16, 2025/RS