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

+ **CRL.M.C. 4627/2025**

SURESH AND ANR.

.....Petitioners

Through: Mr. Rahul Nagpal and Mr. Akash Gupta, Advocates with Petitioners in person.

versus

**THE STATE GOVT. OF NCT OF DELHI
AND ANR.**

.....Respondents

Through: Mr. Shoaib Haider, APP with SI Dinesh Kumar, PS: Nand Nagri.
Mr. S. K. Jha and Ms. Mohini, Advs. for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **16.07.2025**

CRL.M.A. 20114/2025

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

CRL.M.C. 4627/2025

3. Petition under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 ("BNSS") has been filed on behalf of the Petitioners for quashing of FIR No.0428/2016 under Sections 498A/406/34 IPC, registered at PS: Nand Nagri, in terms of Settlement Deed dated 12.02.2024.
4. Issue Notice.
5. Learned APP and learned Counsel for the Respondent No. 2 appearing on advance Notice, accept Notice.



6. Brief facts of the case are that the marriage between Petitioner No.1/husband and the Respondent No. 2/wife was solemnized on 01.12.2014, according to the Hindu rites and ceremonies. A female child was born out of the said wedlock on 05.09.2016, who shall remain in custody of Respondent No.2/wife. Due to temperamental issues, Petitioner No.1/husband and Respondent No. 2/wife are residing separately since 03.01.2016.

7. It is further submitted that on 08.05.2016, on the basis of complaint made by the Respondent No. 2, FIR No.0428/2016 under Sections 498A/406/34 IPC was registered at PS: Nand Nagri.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1/husband. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them vide Settlement Deed dated 12.02.2024.

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

10. In the Settlement, 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 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 No.1/husband shall pay a sum of Rs.9,25,000/- 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, in three instalments.



11. It is also stated that the Petitioner No.1/husband shall pay first instalment of Rs.2,25,000/- 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.3,50,000/- along with Jewellery Articles shall be paid to the Respondent No. 2 at the time of recording of statement before the Court in Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.3,50,000/- shall be paid by the Petitioner No.1/husband by way of Bank Draft/Pay Order to the Respondent No.2, at the time of quashing the aforesaid FIR. It is also submitted that the parties shall withdraw all the proceedings pending against each-other.

12. It is stated that the Petitioner No.1/husband has already paid Rs.5,75,000/- to Respondent No. 2, which is acknowledged by Respondent No. 2. The balance settled amount of Rs.3,50,000/- has also been paid today in the Court by way of Demand Draft in favour of Respondent No. 2, which is accepted by her.

13. It is also stated that on 28.03.2025, the marriage between the Petitioner No.1/husband and the Respondent No. 2/wife, had been dissolved by mutual consent, as per the Hindu law.

14. In view of Settlement Deed dated 12.02.2024, the present Petition has been filed.

15. 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.

16. The parties have submitted that all the disputes have been amicably settled vide Settlement Deed dated 12.02.2024 and thus, no fruitful purpose



will be served in continuing with the FIR.

17. The present Petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of Settlement Deed dated 12.02.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

18. The Respondent No. 2 states that she has received all amounts due to her and has no objection if the FIR is quashed.

19. 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.

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

21. Consequently, FIR No.0428/2016 under Sections 498A/406/34 IPC, registered at PS: Nand Nagri and all consequential proceedings emanating therefrom are quashed.

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

NEENA BANSAL KRISHNA, J.

JULY 16, 2025/R