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

+ **CRL.M.C. 4747/2025**

SHRI SATENDER AND ORS.

.....Petitioners

Through: Mr. Kumar Utkarsh, Ms. Tara Singh
and Mr. Abhishek Gupta, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP with SI
Shivam Bisht, D-3312, PS Khajuri
Khas.

Mr. Virender, Mr. Mukesh and Mr.
Anurag Gupta, Advocates for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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18.07.2025

CRL.M.A. 20568/2025

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

CRL.M.C. 4747/2025

3. Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C'*)/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*), has been filed on behalf of the Petitioners, for quashing of FIR No.0134/2022 under Section 498-A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Khajuri Khas, Delhi and all the consequential proceedings emanating therefrom, in view of the Settlement Deed dated 13.05.2024.
4. Issue Notice.
5. On advance Notice, learned APP has appeared and accepts 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 22.02.2016, according to the Hindu rites and ceremonies and one male child was born out of the said wedlock.

7. On the Complaint of the Respondent No.2/Complainant, FIR No.0134/2022 under Section 498-A/406/34 IPC, got registered at Police Station Khajuri Khas, Delhi.

8. It is submitted that the said FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioners. It is stated that the Petitioner No. 1 and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement dated 13.05.2024. 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. It is stated that the Petitioner No.1/husband shall pay a sum of Rs.4,50,000/- 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. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.1,50,000/- to Respondent No. 2/wife, at the time of recording of Statements of both the parties under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.1,50,000/- shall be paid by the Petitioner No.1 by way of Bank Draft/DD to the Respondent No. 2, at the time of recording of Statements under Section 13-B(2) of the Hindu Marriage Act, 1955 and the third instalment of Rs.1,50,000/- shall be paid by the Petitioner No. 1, by way of Bank Draft/Demand Draft, to the Respondent No.



2, at the time of quashing the aforesaid FIR. It is also submitted that both the parties shall withdraw all the proceedings pending against each other. It is also settled that the custody of the child shall remain with the Respondent No. 2.

9. The remaining balance amount in the sum of Rs.1,50,000/-, by way of Demand Draft dated 04.07.2025, drawn on Canara Bank, Nangloi-II Branch, New Delhi-110041, Delhi, in favour of Rachna, has been handed over in the Court today by the Petitioner No. 1 to the Respondent No. 2. The Complainant/wife states that she has received all amounts due to her and has no objection if the said FIR is quashed.

10. It is also stated that on 29.11.2024, the marriage between the Petitioner No. 1 and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. Both the parties have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

12. Considering the nature of the allegations and that they have settled the matter, the FIR No. No.0134/2022 under Section 498-A/406/34 IPC, registered at Police Station Khajuri Khas, Delhi and all the consequential proceedings emanating therefrom are quashed. It is hereby clarified that the said Compromise is without prejudice to the rights and entitlement of the child.

13. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J.

JULY 18, 2025/RS