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

+ **CRL.M.C. 4737/2025**

VIKAS KUMAR AND ORS.

.....Petitioners

Through: Counsel for Petitioners (appearance
not given)

versus

STATE (GOVT. NCT OF DELHI) AND ANR.Respondents

Through: Mr. Raj Kumar APP for the State.
Counsel for Respondent No. 2 with
R2.

CORAM:

HON'BLE DR. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **18.07.2025**

The Case has been received on transfer.

CRL.M.A. 20505/2025 (Exemption)

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

CRL.M.C. 4737/2025

3. Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*)/under 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. 90/2023 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Delhi Cantt., Delhi and all the consequential proceedings emanating therefrom, in view of the Settlement Deed dated 01.12.2024.



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 08.11.2019, according to the Hindu rites and ceremonies and no child was born out of the said wedlock. Due to some temperamental differences, Petitioner No. 1 and the Respondent No. 2 living separately from each other.
7. On the Complaint of the Respondent No.2/Complainant, FIR No.90/2023 under Section 498A/406/34 IPC, got registered at Police Station Delhi Cantt., Delhi.
8. It is submitted that the 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 *vide* Memorandum of Understanding (MOU) dated 01.12.2024. 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.1,00,000/- 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, in three instalments. It is also stated that the Petitioner No.1 shall pay first instalment of Rs.30,000/- to Respondent No. 2/wife, at the time of recording of Statement of the Respondent No. 2, before the Court at the time of first motion of divorce; the



second instalment of Rs. 30,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, at the time of quashing of the said FIR and the remaining amount shall be paid by the Petitioner No. 1 to the Respondent No. 2 at the time of recording of Statement of the Respondent No. 2/Complainant at the time of second motion of divorce. It is also settled between the parties that the Respondent No. 2 shall not file any other proceeding against the Petitioners.

9. It is stated that the Petitioner No. 1 has already paid the first instalment of Rs.30,000/- to the Respondent No. 2, at the time of recording of Statement of the Respondent No. 2, before the Court at the time of first motion of divorce; the second instalment of Rs.30,000/- has already been paid by the Petitioner No.1, to the Respondent No. 2 and the remaining amount of Rs.40,000/- (in cash) has been paid by the Petitioner No.1 to the Respondent No. 2, in the Court today.

10. 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 said FIR is quashed.

11. It is also stated that on 26.05.2025, the marriage between the Petitioner No.1 and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

12. 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.

13. Considering the nature of the allegations and that they have settled the matter, the FIR No. 90/2023 under Section 498A/406/34 IPC, registered at Police Station Delhi Cantt., Delhi and all the consequential proceedings emanating therefrom are quashed.



14. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J.

JULY 18, 2025/RS