



\$~12

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

+ **CRL.M.C. 4925/2025**

DEEPAK KUMAR PANT

.....Petitioner

Through: Mr. C M Thapliyal, Mr. SP Paul, Ms.
Kanchan Thapliyal, Mr. Ruhul Amin
and Ms. Kiran Lata Pal, Advocates.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Umang Tyagi, Ms. Diksha Punia,
Mr. Zuber Ali and Mr. Sanyam
Dahiya, Advocates for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

28.08.2025

CRL.M.A. 21352/2025 (Exemption), CRL.M.A.21353/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Applications stand disposed of.

CRL.M.C. 4925/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*), has been filed on behalf of the Petitioner, Deepak Kumar Pant for quashing of FIR No.320/2009 under Section 498-A/406/34/377/174-A of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police



Station Kalyanpuri, Delhi and all the consequential proceedings emanating therefrom, on the basis of the Settlement Deed dated 21.12.2024.

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/husband and the Respondent No. 2/wife on 14.10.2002, according to the Hindu rites and ceremonies and two children were born out of the said wedlock on 14.08.2003 and 27.05.2007 respectively. The parties are living separately from each other since 28.12.2006.

7. On the Complaint of the Respondent No.2/Complainant, FIR No.320/2009 under Section 498-A/406/34/377/174-A of IPC, got registered at Police Station Kalyanpuri, Delhi.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner. 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 21.12.2024. 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. It is stated that the Petitioner/husband shall pay a sum of Rs.15,00,000/- 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 shall pay first instalment in the sum of Rs.5,00,000/-, by way of Demand Draft, to



Respondent No. 2/wife. Out of Rs.5,00,000/-, Rs.1,00,000/- shall be given by the Petitioner to the Respondent No. 2, at the time of signing of the Petition for First Motion and remaining Rs.4,00,000/- shall be given by the Petitioner to the Respondent No. 2 at the time of recording of Statement of the parties in First Motion Petition, towards any claim of the son of the parties; the second instalment of Rs.5,00,000/- shall be paid by the Petitioner, by way of Demand Draft, in favour of the son of the parties, namely, Anirudh Pant, towards his any claim and also at the time of recording of Statement of both the parties in Second Motion Petition and the third instalment of Rs.5,00,000/- shall be paid by the Petitioner, by way of Bank Draft, to the Respondent No. 2, at the time of quashing the aforesaid FIR. It is also settled between the parties that they shall withdraw all their claims, cases filed against each other.

9. It is stated that the Petitioner has already paid the settled amount in the sum of Rs.10,00,000/- to the Respondent No. 2. The Petitioner has handed over a Demand Draft bearing No.888665, drawn from State Bank of India, in favour of Shweta Kumari, dated 09.07.2025, in the sum of Rs.5,00,000/-, to the Respondent No. 2/wife in the Court today, which has been accepted by the Respondent No. 2.

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 21.03.2025, the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

12. 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.

13. Considering the nature of the allegations and that they have settled the matter, the FIR No 320/2009 under Section 498-A/406/34/377/174-A of IPC, registered at Police Station Kalyanpuri, 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.

14. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 28, 2025