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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5072/2025, CRL.M.A. 21978-21980/2025**
MUKESH KUMARPetitioner

Through: Mr. Ankit Ambasta, Advocate with
Petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI THROUGH SHO
PS KN KATJU MARG & ANR.Respondents

Through: Mr. Shoaib Haider, APP with SI Bunt
Drall, PS: K. N. Katju Marg.
Mr. Sukhamrit Singh, Advocate for
R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

30.07.2025

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1. Petition under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 ("BNSS") has been filed on behalf of the Petitioner for quashing of FIR No.0226/2015 under Sections 498A/406/34 IPC, registered at PS: K. N. Katju Marg, Delhi and all proceedings emanating therefrom, in terms of Settlement Deed dated 04.12.2024.
2. Issue Notice.
3. Learned APP and learned Counsel for the Respondent No. 2 appearing on advance Notice, accept Notice.
4. Brief facts of the case are that the marriage between the Petitioner/ husband and Respondent No.2/wife was solemnized on 17.02.2002, according to the Hindu rites and ceremonies. A female child was born out of the said wedlock on 09.06.2003, who is major now and lives with Respondent No.2. Due to temperamental issues, the Petitioner/husband and Respondent



No.2/wife started residing separately since 09.08.2014.

5. It is further submitted that on 26.02.2015, on the basis of complaint made by Respondent No. 2, FIR No.0226/2015 under Sections 498A/406/34 IPC was registered at PS: K. N. Katju Marg, Delhi.

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Petitioner/husband and Respondent No.2/wife, who have amicably settled all their disputes and differences vide Settlement Deed dated 04.12.2024.

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

8. In the Settlement, it was inter alia settled between the parties that the Petitioner/husband and Respondent No.2/wife 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/husband shall pay a total sum of Rs.49,00,000/- 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 Respondent No.2/wife. Out of which Rs.5,00,000/- had already been paid and remaining settlement amount of Rs.44,00,000/- shall be paid in three instalments.

9. It is also stated that the Petitioner/husband shall pay first instalment of Rs.20,00,000/- 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.12,00,000/- along with Jewellery Articles shall be paid to 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.12,00,000/- shall be paid by the Petitioner/husband by way of Bank Draft/Pay Order to 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.

10. It is stated that the Petitioner No.1/husband has already paid full settlement amount of Rs.49,00,000/- to Respondent No. 2, which is also acknowledged by her.

11. It is also stated that on 05.05.2025, the marriage between the Petitioner/husband and Respondent No.2/wife, has been dissolved by mutual consent, as per the Hindu law.

12. In view of Settlement Deed dated 04.12.2024, the present Petition has been filed.

13. 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.

14. The parties have submitted that all the disputes have been amicably settled vide Settlement Deed dated 04.12.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

15. The present Petition has been signed by the Petitioner and is supported by his Affidavits. The parties have reaffirmed the terms of Settlement Deed dated 04.12.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

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

17. 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.

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

19. Consequently, FIR No.0226/2015 under Sections 498A/406/34 IPC, registered at PS: K. N. Katju Marg, Delhi and all consequential proceedings emanating therefrom are quashed. The settlement is without prejudice to the rights of the child.

20. The Petition along with pending Applications, is disposed of accordingly.

NEENA BANSAL KRISHNA, J.

JULY 30, 2025/R