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

+ **CRL.M.C. 5213/2025**

VISHAL & ORS.

.....Petitioners

Through: Mr. Arun Pal and Ms. S. Annu,
Advocates with Petitioners.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Pooja, D-1469, PS Tilak
Marg, New Delhi.

Mr. Vineet Kumar, Advocate for R2
with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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04.08.2025

CRL.M.A.22530/2025 (Exemption)

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

CRL.M.A. 22529/2025 (delay)

3. Application 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 condone the delay of 163 days in re-filing the accompanying Petition.
4. For the reasons stated in the Application, the delay of 163 days in re-filing the accompanying Petition, is condoned and the same is allowed and



disposed of accordingly.

CRL.M.C. 5213/2025

5. Petition under Section 528 of B.N.S.S., has been filed on behalf of the Petitioners, for quashing of FIR No. 16/2020 under Section 498A/506/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Tilak Marg, District New Delhi and all the consequential proceedings emanating therefrom, in view of the Settlement Deed dated 18.07.2023.

6. Issue Notice.

7. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.

8. Brief facts of the case are that the marriage was solemnized between Petitioner No.1/husband and the Respondent No. 2/wife on 16.01.2016, according to the Hindu rites and ceremonies and one male child, namely, Shivay was born out of the said wedlock on 05.11.2016.

9. On the Complaint of the Respondent No.2/Complainant, FIR No.16/2020 under Section 498A/506/406/34 IPC, got registered at Police Station Tilak Marg, District New Delhi.

10. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1. 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 Settlement (MOU) dated 18.07.2023, before the Delhi Mediation Centre, Patiala House Courts, New Delhi. 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.2,00,000/- 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 two instalments. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.1,00,000/- to Respondent No. 2/wife, by way of Demand Draft, at the time of recording of Statements of both the parties under Section 13-B (1) of the Hindu Marriage Act, 1955 and the second instalment of Rs.1,00,000/- shall be paid by the Petitioner No.1 to the Respondent No. 2, by way of Demand Draft, at the time of recording of Statements under Section 13-B(2) of the Hindu Marriage Act, 1955. It is also settled between the parties that they will not file any Complaint/Petition/Execution/Petition/Appeal etc. against each other and their family members in future.

11. 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.

12. It is also stated that on 7th February, the marriage between the Petitioner No.1 and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

13. 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.

14. Considering the nature of the allegations and that they have settled the matter, the FIR No.16/2020 under Section 498A/506/406/34 IPC, registered at Police Station Tilak Marg, District New Delhi and all the consequential



proceedings emanating therefrom are quashed. The custody of the child shall remain with the Respondent No. 2. It is hereby clarified that the said Compromise is without prejudice to the rights and entitlement of the child.

15. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 4, 2025/RS