



\$~21

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7550/2025 & CRL.M.A. 31621/2025 (delay)**

SUSHANT KUMAR & ORS.

.....Petitioners

Through: Mr. Rajesh Sharma, Advocate with
Petitioners.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Counsel for R2 (appearance not
given) with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
05.12.2025

%

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (old Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*)), has been filed on behalf of the Petitioners, for quashing of FIR No.320/2021 under Section 406/498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Neb Sarai, Delhi and all the consequential proceedings emanating therefrom, in terms of the Settlement dated 24.07.2025.
2. Issue Notice.
3. On advance Notice, learned APP has appeared and accepted the Notice on behalf of the State.



4. Brief facts of the case are that the marriage was solemnized between Petitioner No.1/husband and the Respondent No. 2/wife on 13.04.2019, according to the Hindu rites and ceremonies and a boy child namely Master Aavyan was born out of the said wedlock. The parties are living separately from each other since 03.08.2020.

5. On the Complaint of the Respondent No.2/Complainant, FIR No. 320/2021 under Section 406/498A/34 of IPC, got registered at Police Station Neb Sarai, Delhi.

6. 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 24.07.2025. Both the parties submit that as per the terms of the Settlement, they had agreed to live separately in their respective parental houses. However, now both the parties have decided to live together after from 15 days. Both the parties submit that all the differences have been sorted out and the FIR be quashed, in terms of the Settlement.

7. Today, the Respondent No. 2/wife, who is present in the Court, states that she has no objection if the FIR is quashed.

8. 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.

9. Considering the nature of the allegations and that they have settled the matter, the FIR No. 320/2021 under Section 406/498A/34 of IPC, got registered at Police Station Neb Sarai, Delhi and all the consequential



proceedings emanating therefrom are quashed.

10. The Petition is disposed of accordingly. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J

DECEMBER 5, 2025/ng