



\$~62

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

+ **CRL.M.C. 7592/2025 & CRL.M.A. 31796/2025**

VIVEK KUMAR MISHRA & ORS.Petitioners

Through: Mr. Harsh Yadav, Advocate with
Petitioners in person

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Sunil
Mr. Rahul Tripathi, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

29.10.2025

%

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners for quashing of FIR No. 0414/2023 dated 23.08.2023 registered under Sections 498A/406/506/354/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), at P.S. Ambedkar Nagar and all the proceedings emanating therefrom, in terms of the Settlement dated 08.05.2025.
2. Issue Notice.
3. Learned APP appearing on advance Notice, accepts Notice on behalf of the State. Learned Counsel for the Respondent No. 2 has appeared and accepted the Notice.
4. Brief facts of the case are that the marriage between



Petitioner/husband and the Respondent No. 2/wife was solemnized on 21.05.2022, according to the Hindu rites and ceremonies and no child was born out of the said wedlock. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 are residing separately since 07.03.2023.

5. It is further submitted that on 23.08.2023, on the basis of complaint made by the Respondent No. 2, an FIR No. 0414/2023 under Sections 498A/406/506/354/34 IPC got registered at P.S. Ambedkar Nagar.

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner/husband. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement dated 08.05.2025.

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 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, from the Court of learned Principal Family Judge, Delhi. It is also stated that the Petitioner/husband shall pay a sum of Rs.5,00,000/- 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/husband shall pay first instalment of Rs.1,00,000/- 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.1,50,000/- shall be paid to the 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.2,50,000/- shall be paid by the Petitioner/husband by way of Bank Draft/Pay Order to the 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.

9. It is stated that the Petitioner/husband has already paid Rs.2,50,000/- to the Respondent No. 2, which is acknowledged by the Respondent No. 2. The balance settled amount of Rs.2,50,000/- has been paid today by way of Demand Draft dated 09.09.2025 drawn on Canara Bank in favour of the Respondent No. 2, which is accepted by the Respondent No. 2.

10. It is stated that the marriage between the Petitioner/husband and the Respondent No. 2/wife had been dissolved by mutual consent *vide* Decree dated 07.07.2025, as per the Hindu law.

11. In view of the Settlement dated 08.05.2025, the present Petition has been filed.

12. 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. The parties have submitted that all the disputes have been amicably settled *vide* Settlement dated 08.05.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

13. The present Petition has been signed by the Petitioners and is supported by their Affidavits. The parties have reaffirmed the terms of the Settlement dated 08.05.2025 and they submit that the said Settlement has



been arrived at between the parties, without any pressure and coercion.

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

15. 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.

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

17. Accordingly, FIR No. 0414/2023 registered under Sections 498A/406/506/354/34 IPC at P.S. Ambedkar Nagar and all consequential proceedings emanating therefrom are quashed.

18. The Petition alongwith pending Application, is disposed of accordingly.

NEENA BANSAL KRISHNA, J

OCTOBER 29, 2025

N