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

+ CRL.M.C. 8246/2025, CRL.M.A. 34396/2025

RAHUL BISHT & ORS.

.....Petitioners

Through: Mr. Manish Sharma and Mr. Nimish
Dev Sharma, Advocates with
Petitioners in person

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Ms. Kiran Bairwa, APP for the State
with ASI Pardeep Kumar, P.S. Gulabi
Bagh
Ms. ___ Counsel for R-2 (Appearance
not given) with R-2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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19.11.2025

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners seeking quashing of FIR No. 0149/2024 registered under Sections 498A/406/34 IPC at P.S. Gulabi Bagh and all the proceedings emanating therefrom, in terms of the Mediated Settlement dated 17.08.2024.
2. Issue Notice.
3. Learned APP appearing on advance Notice, accepts Notice on behalf of the State. Learned Counsel appearing on behalf of the Respondent No. 2, accepts the Notice.
4. Brief facts of the case are that the marriage between Petitioner/husband and the Respondent No. 2/wife was solemnized on 12.05.2015, according to the Hindu rites and ceremonies and one male child



aged about 06 years was born out of the said wedlock, who is at present under the care and custody of Respondent No. 2. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 are residing separately since 30.04.2023.

5. It is further submitted that on 08.06.2024, on the basis of complaint made by the Respondent No. 2, an FIR No. 0149/2024 under Sections 498A/406/34 IPC, got registered at P.S. Gulabi Bagh.

6. The parties are present before this Court in-person today and have been identified by their respective Counsel.

7. 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 Mediated Settlement dated 17.08.2024.

8. As per 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 stated that the Petitioner/husband shall pay a sum of Rs.5,000/- per month towards maintenance/payment has been agreed. It is also submitted that the parties shall withdraw all the proceedings pending against each-other in terms of the Settlement.

9. It is also stated that the marriage between the Petitioner/husband and the Respondent No. 2/wife, had been dissolved by mutual consent *vide* Decree dated 18.07.2025, as per the Hindu law.

10. In view of the Mediated Settlement dated 17.08.2024, the present



Petition has been filed.

11. 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 reaffirmed the terms of the Mediated Settlement dated 17.08.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

12. The Respondent No. 2/wife, who is present in the Court submits that she is receiving the monthly maintenance payment and has no objection if the FIR is quashed.

13. 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.

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

15. Accordingly, FIR No. 0149/2024 registered under Sections 498A/406/34 IPC at P.S. Gulabi Bagh and all consequential proceedings emanating therefrom are quashed. It is hereby clarified that the said Settlement is without any prejudice to the rights and entitlements of the children, in accordance with law.

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

NEENA BANSAL KRISHNA, J.

NOVEMBER 19, 2025/N