



\$~91

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

+ **W.P.(CRL) 3897/2025**

NEERAJ & ORS.

.....Petitioners

Through: Mr. M.S. Khan, Mr. M. Arshyan, Mr. Akbar Kaleem, Ms. Shaziya and Ms Anvita, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel with SI Kiran Yadav, PS-DBG Road

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

26.11.2025

The matter is taken up today as 25.11.2025 was declared as holiday on account of Guru Teg Bahadur's Martyrdom Day.

CRL.M.A. 35176/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 35190/2025

3. This is an application filed on behalf of applicant/petitioner seeking condonation of 20 days delay in re-filing the petition.
4. For the reasons mentioned in the application, same is allowed.
5. Application stands disposed of.

W.P.(CRL) 3897/2025

6. The present petition has been filed on behalf of the petitioners under Article 226 of the Constitution of India read with Section 528 of BNSS seeking quashing of E-FIR No. 80041939/2024, under Sections 308/457/34



of IPC registered at PS-D.B.G Road.

7. Issue notice. Mr. Sanjay Lao, learned Standing Counsel for the State accepts notice.

8. The petitioners, as well as, respondent no. 2, who are present in Court, have been identified by Mr. M.S. Khan, learned counsel for petitioner as well as by the Investigating Officer, SI Kiran Yadav, PS-DBG Road.

9. The brief facts of the case are that marriage between petitioner no.1 and respondent no.2 was solemnized on 18.04.2017 according to Hindu Rites and Customs. However, on account of some temperamental issues certain disputes arose between petitioner nos.1 & 2 and respondent no.2 and they started living separately.

10. It is the case of the prosecution that on 22.03.2024, a complaint was lodged by the complainant/respondent no.2 with allegations that her gold jewellery set went missing and on being asked about the same, her husband (petitioner no.1) informed that it has been taken by his father (petitioner no.2) and one Umesh Kumar/petitioner no.3 and it will be returned soon. However, it has not been returned, rather she was threatened of implication in a false case, which led to the registration of present E-FIR.

11. During pendency of the proceedings, the parties have amicably resolved their disputes and arrived at a settlement, the terms whereof have been reduced in writing in the memorandum of understanding (MOU) dated 04.09.2024, which is annexed as Annexure-P2 to the present petition.

12. In terms of the said settlement, petitioner no.1 and respondent no.2 decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 19.11.2024.



13. It is also a term of the settlement between the parties that the petitioner nos.1 and 2 and their family members shall pay a total sum of Rs.6,00,000/- to respondent no.2 towards full and final settlement. Out of the said amount, a sum of Rs.4,00,000/- has already been paid by the petitioner nos. 1 and 2 and their family members to respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.2,00,000/- is paid today electronically by way of RTGS bearing transaction ID No. NRTGS/BKIDR52025 112600521052/ROS.

14. On a query posed by the Court, respondent no.2 affirms the factum of settlement with the petitioners and states that she does not wish to prosecute the criminal proceedings any further, thus, she has no objection in case the FIR in question is quashed.

15. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

16. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

17. Consequently, the petition is allowed and E-FIR No. 80041939/2024, under Sections 308/457/34 of IPC registered at D.B.G Road alongwith all other proceedings emanating therefrom, is quashed.

18. The petition stands disposed of in the above terms.

19. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

NOVEMBER 26, 2025/jg