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

+ **CRL.M.C. 8619/2025**

DINESH KAPOOR & ORS.

.....Petitioners

Through: Mr. Piyush Pahuja, Ms. Nancy
Gunwani and Mr. Tushar Yadav,
Advs.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Vijay Pal Singh, PS: Nanak
Pura.
Mr. Rahul Sharma, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.12.2025

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1. Petition under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 ("BNSS") has been filed on behalf of the Petitioners for quashing of FIR No.0052/2018 under Sections 498A/406/34 IPC, registered at PS: Crime (Women) Cell, Nanak Pura, Delhi and all consequential proceedings emanating therefrom, in terms of Settlement Deed dated 22.01.2024.
2. Learned APP for the State and learned Counsel for the Respondent No.2 appearing on advance Notice, accept Notice.
3. Brief facts of the case are that the marriage between Petitioner No.1/husband and Respondent No. 2/wife was solemnized on 11.12.2005, according to Hindu rites and ceremonies. Two children, namely Master Aarav and Master Siaan were born out of the said wedlock, who shall remain in custody of Respondent No.2/wife. Due to temperamental issues, Petitioner



No.1/husband and Respondent No. 2/wife are residing separately since 08.10.2017.

4. It is further submitted that on 20.07.2018, on complaint of Respondent No.2, FIR No.0052/2018 under Sections 498A/406/34 IPC was registered at PS: Crime (Women) Cell, Nanak Pura, Delhi.

5. It is submitted that the FIR was a consequence of the matrimonial disputes between Petitioner No.1/husband and Respondent No.2/wife. It is stated that the Petitioners and Respondent No. 2 have amicably settled all the disputes and differences between them vide Settlement Deed dated 22.01.2024.

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

7. In the Settlement, it was inter alia settled between the parties that Respondent No.2/wife and 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, from the Court of learned Principal Family Judge, Delhi. It is stated that Petitioner No.1/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 Respondent No. 2/wife, in three instalments.

8. It is also stated that Petitioner No.1/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/- along with Jewellery Articles shall be paid to 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 No.1/husband by way of Bank Draft/Pay Order to 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 Petitioner No.1/husband has already paid Rs.2,50,000/- to Respondent No.2/wife, which is acknowledged by her. The balance settled amount of Rs.2,50,000/- has also been paid today in the Court by way of DD No.391908 dated 13.11.2025 drawn on Union Bank, West Patel Nagar, Delhi Branch in favour of Respondent No. 2, which is accepted by her.

10. It is also stated that on 03.08.2024, the marriage between Petitioner No.1/husband and Respondent No. 2/wife, had been dissolved by mutual consent, as per the Hindu law.

11. In view of Settlement Deed dated 22.01.2024, 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.

13. The parties have submitted that all the disputes have been amicably settled vide Settlement Deed dated 22.01.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present Petition has been signed by the Petitioners (except Petitioner No.2, who has expired on 16.12.2022) and is supported by their Affidavits. The parties have reaffirmed the terms of Settlement Deed dated 22.01.2024 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

15. Respondent No.2 states that she has received all amounts due to her and



has no objection if the FIR is quashed.

16. 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.

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

18. Consequently, FIR No.0052/2018 under Sections 498A/406/34 IPC, registered at PS: Crime (Women) Cell, Nanak Pura, Delhi and all consequential proceedings emanating therefrom are quashed. The above Settlement is without prejudice to the rights of the children.

19. The Petition along with pending Application is disposed of.

NEENA BANSAL KRISHNA, J.

DECEMBER 3, 2025/R