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

+ **CRL.M.C. 277/2025**

NEERAJ WADHWA

.....Petitioner

Through: Mr. Sehdev Rana, Advocate with
Petitioner (through VC)

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Purvi Ahlawat, D-1860, PS
Tilak Nagar.

Mr. Siddhartha Singh, Advocate for
R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **15.05.2025**

CRL.M.A. 1373/2025 (Exemption), CRL.M.A.1374/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Applications stand disposed of.

CRL.M.C. 277/2025

3. 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 Petitioner, Mr. Neeraj Wadhwa for quashing of FIR No. 300/2019 under Section 406/498-A/34 of the Indian Penal Code, 1860 dated 19.06.2019 registered at Police Station Tilak Nagar and the consequent proceedings emanating thereto.
4. Issue Notice.
5. On advance Notice, learned APP has appeared on behalf of the State.



6. Brief facts of the case are that the marriage was solemnized between Petitioner/husband and the Respondent No. 2/wife on 20.07.2013, according to the Hindu rites and ceremonies and one female child was born out of the said wedlock.

7. It is further submitted that on the Complaint of the Respondent No. 2, an FIR No.300/2019 under Section 406/498-A/34 IPC dated 19.06.2019 got registered at Police Station Tilak Nagar. It is stated that due to temperamental differences, they have been residing separately since 05.12.2018.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner. It is stated that the Petitioner and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement dated 25.10.2024 before the Mediation Centre. In terms of the Settlement dated 25.10.2024, the Statement of the parties have already been recorded before the learned Joint Registrar. It is stated that the Petitioner/husband shall pay a sum of Rs.8,75,000/- by way of DD/Electronic mode in four instalments, 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. It is also stated that the Petitioner shall pay first instalment of Rs.2,00,000/- 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. 2,00,000/- shall be paid by the Petitioner to the Respondent No. 2, at the time of withdrawal of the Complaint of Domestic Violence Act, 2005; the third instalment of Rs.2,00,000/- shall be paid by the Petitioner to the



Respondent before the Court at the time of recording the Statement of both the parties under Section 13-B(2) of the Hindu Marriage Act, 1955 and the fourth instalment of Rs.2,75,000/-shall be paid by the Petitioner to the Respondent No. 2, at the time of quashing the aforesaid FIR. It was also agreed between the parties that the Petitioner shall deposit of Rs.2,00,000/- in the Sukanya Samridhi Yojna, in favour of the minor child and thereafter, hand over its original documents to the Complainant. It was also agreed that the custody of the minor child will remain with the Respondent No. 2. It is also submitted that the parties shall withdraw all the proceedings pending against each other.

9. It is stated that the Petitioner has already paid the first instalment of Rs2,00,000/- to the Respondent No. 2, at the time of recording of statements in First Motion Petition under Section 13-B (1) of the Hindu Marriage Act, 1955; the second instalment of Rs.2,00,000/- has already been paid by the Petitioner, to the Respondent No. 2 at the time of withdrawal of the Complaint of Domestic Violence Act, 2005; the third instalment of Rs.2,00,000/- has already been paid by the Petitioner to the Respondent No. 2 at the time of recording of statements in Second Motion Petition under Section 13-B(2) of the Hindu Marriage Act, 1955 and the fourth instalment of Rs.2,75,000/- has already been paid by the Petitioner to the Respondent No. 2.

10. It is also stated that on 02.12.2024, the marriage between the Petitioner and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

11. In view of the Settlement Deed dated 25.10.2024, the present Petition has been filed.



12. The Petitioner is present through VC and the Respondent No. 2 is present before this Court in-person today and has been identified by her learned Counsel and Investigating Officer concerned. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily. The parties 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 25.10.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

14. The present Petition has been signed by the Petitioner and is supported by his Affidavit. The parties have reaffirmed the terms of the settlement arrived at and they also submit that the said Settlement dated 25.10.2024 has been arrived at between the parties, without any pressure and coercion.

15. Today, the Respondent No. 2/wife, who is present in the Court, 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. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

17. Accordingly, FIR No. 300/2019 under Section 406/498-A/34 of the



Indian Penal Code, 1860 dated 19.06.2019 registered at Police Station Tilak Nagar and the consequent proceedings emanating therefrom are quashed. It is hereby clarified that the said Compromise is without prejudice to the rights and entitlement of the child.

18. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

MAY 15, 2025/RS