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

+ CRL.M.C. 8993/2025

AKHIL RASTOGI & ORS.

.....Petitioners

Through: Mr. Kshitiz Ahuja and Mr. Vineet Nagar, Advs. with petitioners in person.

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: Ms. Kiran Bairwa, APP for State with ASI Attar Singh PS Maidan Garhi.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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16.12.2025

1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.409/2022 under Sections 498A/34 IPC, registered at Police Station Maidan Garhi, Delhi and all consequential proceedings emanating therefrom, on the ground that the parties have arrived at a settlement.
2. Issue notice. Ms. Kiran Bairwa, learned APP for the State accepts notice.
3. Petitioner no.1 (former husband), petitioner nos. 2 – 4, who are close relatives of petitioner no.1, as well as, respondent no. 2 (former wife), are present in Court and they have been identified by learned counsel for the petitioners as well as by the Investigating Officer ASI Attar Singh PS Maidan Garhi.



4. The brief facts of the case are that the marriage between the petitioner no.1 and the respondent no. 2 was solemnized on 11.12.2021 according to Hindu Rites and Customs. Out of the said wedlock no child was born.

5. On account of temperamental issues certain disputes arose between the parties and the respondent no.2 started living separately w.e.f. 10.07.2022. The disputes between the parties also led to the registration of the present FIR.

6. During the pendency of the proceedings, the parties arrived at a settlement, the terms whereof have been reduced in writing in terms of memorandum of understanding dated 09.12.2024, which is annexed as Annexure-P2 to the present petition.

7. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, petitioner no.1 and respondent no.2 moved a first motion petition in Family Court, South District, Saket Court, New Delhi dated 15.04.2025, which is annexed as Annexure P-3 to the present petition.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.9,00,000/- to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a sum of Rs.4,00,000/- has already been paid by the petitioner no.1 to the respondent no.2 at the time of recording of statement in the first motion petition. An amount of Rs. 3,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of UPI Mode bearing Transaction Reference ID 724829668 through IMPS. The remaining amount of Rs. 2,00,000/- shall be paid to respondent no.2 at



the time of recording of second motion petition.

9. The receipt of amount of Rs. 7,00,000/- is acknowledged by respondent no.2, who is present in court.

10. On a query posed by the Court, respondent no.2 states that she has no objection in case the FIR in question is quashed.

11. 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.

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

13. Consequently, the petition is allowed and the FIR No.409/2022 under Sections 498A/34 IPC, registered at Police Station Maidan Garhi, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

DECEMBER 16, 2025

N.S. ASWAL