



\$~85

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

+ CRL.M.C. 9079/2025

KAMAL HASIJA

.....Petitioner

Through: Mr. Om Prakash Kumar Srivastava
and Mr. C.S. Badyal, Adv.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for R-1/State
with S.I. Reena, P.S. Dwarka North.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **19.12.2025**

CRL.M.A. 37992/2025 (exemption)

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

CRL.M.C. 9079/2025

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.129/2017 under Sections 498A/34 IPC registered at PS Dwarka North, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. Ms. Kiran Bairwa, the learned APP appearing on behalf of State accepts notice. She submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.



5. The petitioner (former husband) and respondent no.2 (former wife) are present in the court and they have been identified by their respective counsels, as well as, by the IO i.e. S.I. Reena, P.S. Dwarka North, Delhi. The petitioner, as well as, respondent no.2 are stated to be deaf and dumb. Respondent no.2 is assisted by Ms. Priya, Interpreter.

6. The brief facts of the case are that the marriage between the petitioner and respondent no. 2 was solemnized on 29.11.2010 according to Hindu Rites and Customs. One male child i.e. Master Reyansh was born from the said wedlock.

7. On account of temperamental issues, certain disputes arose between the parties and they started living separately w.e.f. 31.05.2015. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of proceedings, the parties were referred to Counselling Cell, Family Courts, Dwarka Court, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement 02.02.2019, which is annexed as Annexure P-6 to the present petition.

9. In terms of the said settlement, the petitioner and respondent no. 2 decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. As per the said settlement, the marriage between the petitioner and respondent No.2 has been dissolved by Decree of Divorce on the basis of mutual consent under Section 13-B(1) HMA and 13-B(2) HMA.

10. It is also a term of the settlement between the parties that the petitioner will pay a total sum of Rs.7,00,000/- to respondent no.2 towards full and final settlement on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a



sum of Rs.6,00,000/- has already been paid by the petitioner to respondent no.2 in the manner as mentioned in the settlement, the receipt of which respondent no.2 acknowledges. The remaining amount of Rs.1,00,000/- has been paid to respondent no.2 today in the court by the petitioner by way of Demand Draft bearing No.010672 dated 15.12.2025 issued by HDFC Bank.

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

12. Respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.129/2017 under Sections 498A/34 IPC registered at PS Dwarka North, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

DECEMBER 19, 2025

aj