



\$~35

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

+ **CRL.M.C. 9303/2025**

KAPIL GOSWAMI

.....Petitioner

Through: Mr. __ Counsel (Appearance not
given) with Petitioner in person

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Richa Dhawan, APP for the State
with SI Yashpal Singh
Mr. __ Counsel for R-2 (Appearance
not given)
Complainant through VC

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.12.2025

%

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners seeking quashing of FIR No. 0214/2017 registered under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act, 1961 at P.S. Farsh Bazar and all the proceedings emanating therefrom, in terms of the Settlement Agreement dated 10.02.2023.
2. Learned APP appearing on advance Notice, accepts Notice on behalf of the State. Learned Counsel appearing on behalf of the Respondent No. 2, accepts the Notice.
3. Brief facts of the case are that the marriage between Petitioner/husband and the Respondent No. 2/wife was solemnized on 02.12.2010, according to the Hindu rites and ceremonies and one male child,



namely, Parv Prashar was born on 26.02.2016 out of the said wedlock, who is at present under the care and custody of Respondent No. 2. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 are residing separately since 15.09.2015.

4. It is further submitted that on 03.06.2017, on the basis of Complaint made by the Respondent No. 2, an FIR No. 0214/2017 under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act, 1961, got registered at P.S. Farsh Bazar.

5. The parties are present before this Court in-person today and have been identified by the IO.

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner/husband. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Agreement dated 10.02.2023.

7. In the Settlement, it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner/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 the Petitioner/husband shall pay a sum of Rs.10,00,000/- 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 the Respondent No. 2/wife.

8. It is stated that the Petitioner/husband has already paid Rs.5,50,000/- at the time of grant of First Motion and Second Motion, which is acknowledged by the Respondent No. 2. The balance amount of



Rs.4,50,000/- remains to be paid. However, the Complainant who is appearing through VC submits that as the Petitioner/husband has suffered financial losses, on his assurance that he would pay eventually in 01 to 03 years as and when he gets the money, she has no objection to the quashing of the present FIR.

9. It is also stated that the marriage between the Petitioner/husband and the Respondent No. 2/wife, had already been dissolved by mutual consent *vide* Decree dated 01.02.2024, as per the Hindu law.

10. In view of the Settlement Agreement dated 10.02.2023, the present Petition has been filed.

11. 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. The parties have reaffirmed the terms of the Settlement Agreement dated 10.02.2023 and they submit that the said Settlement has been arrived at between the parties, without any pressure and coercion.

12. 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.

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

14. Accordingly, FIR No. 0214/2017 registered under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act, 1961 at P.S. Farsh Bazar and all consequential proceedings emanating therefrom are



quashed. It is hereby clarified that the said Settlement is without any prejudice to the rights and entitlements of the children, in accordance with law.

15. The Petition alongwith pending Application, is disposed of accordingly.

NEENA BANSAL KRISHNA, J

DECEMBER 24, 2025

N