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

+ **CRL.M.C. 135/2026 & CRL.M.A. 492/2026**

GAURAV CHAUHAN & ORS

.....Petitioners

Through: Mr. Manoj Kumar and Ms. Suman
Kathuria, Advocates with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Satish Kumar, APP for the
State with Ms. Upasna Bakshi and
Mr. Bhuman Bansal, Advocates.
Mr. Suhail Mansoori, Advocates
with Mrs. Sarita Tokas and Ms.
Shikas Tokas (Through VC) in
person.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

08.01.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***) (earlier *Section 482* of the Code of Criminal Procedure, 1973), the petitioners seek quashing of FIR No.560/2022 dated 16.12.2022 registered under *Sections 498A/406/34* of the Indian Penal Code, 1860 (***IPC***) at PS: Alipur, Delhi and all other consequential proceedings emanating therefrom in terms of the Memorandum of Understanding dated 28.02.2025 arrived *inter se* the petitioners and the respondent no.2.



2. The present petition is accompanied by the said Memorandum of Understanding dated 28.02.2025 [**Annexure-P2**], and is also supported by affidavits of all the petitioners and of respondent no.2, alongwith their respective identity proofs.

3. Issue notice.

4. Learned APP for the State accepts notice, and submits that he has no objection to the quashing of FIR No.560/2022 dated 16.12.2022.

5. Respondent no.2, present in Court, also accepts notice, and confirms that the petitioner no.1 and respondent no.2 have already been granted divorce by mutual consent *vide* Decree of Divorce dated 07.04.2025, as also the petitioners and the respondent no.2 have executed the aforesaid Memorandum of Understanding dated 28.02.2025. As such, she states that she has no objection to the quashing of FIR No.560/2022 dated 16.12.2022.

6. Additionally, the petitioners and respondent no.2, present in Court, as well as their respective credentials on record have also been identified by the Investigating Officer.

7. In view of the fact that a settlement has already been arrived at between the parties, they shall remain bound by all the terms and conditions contained therein. As such, following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuvanshi & Ors. vs. Babita Raguvanshi & Anr. (2013) 4 SCC 58***, ***Gian Singh vs. State of Punjab & Anr. (2012) 10 SCC 303*** and ***Narinder Singh & Ors. vs. State of Punjab & Anr. (2014) 6 SCC 466***, this Court is of the opinion that continuation of the aforesaid FIR No.560/2022 dated 16.12.2022 will be an exercise in futility.



8. Accordingly, the present petition is allowed, and FIR No.560/2022 dated 16.12.2022 registered under *Sections 498A/406/34* of the IPC at PS: Alipur, Delhi and all other consequential proceedings emanating therefrom are quashed.

9. At this stage, the petitioner no.1, who is working as a doctor in a private hospital, volunteers to provide certain medical necessities/instruments to PS: Alipur, New Delhi within a period of two weeks, for which he shall contact the Investigating Officer at PS: Alipur, New Delhi.

10. This Court appreciates the above *bona fide* gesture of the petitioner no.1.

11. The petition, alongwith the pending application, is disposed of in terms of the aforesaid.

SAURABH BANERJEE, J

JANUARY 8, 2026/NA