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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 167/2026, CRL.M.A. 1518/2026**
MUKESH KUMARPetitioner
Through: **Mr.Samar Gulrez, Advocate.**

versus

STATE NCT OF DELHI & ANR.Respondents
Through: **Mr. Sanjay Lao, Standing Counsel for**
the State.
WSI Prachi Singh, P.S. Nand Nagri.
Mr. Jitendra Kumar, Advocate for R-
2 alongwith respondent No.2.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
16.01.2026

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By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner, who is the former husband of the complainant/respondent No.2, seeks quashing of case FIR No.33/2021 dated 13.01.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Nand Nagri, Delhi.

2. The petition is premised on Mediated Settlement dated 07.07.2025 arrived at before the Delhi Mediation Centre, Karkardooma, Delhi; and Divorce Decree dated 17.10.2025, which is the culmination of petitions under sections 13-B(1) and 13-B(2) of the Hindu Marriage Act 1955, whereby the parties had sought dissolution of their marriage by mutual consent.



3. The petition is supported by affidavits of the petitioner, as also of respondent No. 2, alongwith proof of their respective IDs.
4. The petitioner as well as respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. The parties have confirmed that one child, viz. Divansh, was born from the wedlock, who is minor as of date.
6. No appeal is stated to have been filed from the divorce decree.
7. The court has queried respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a settlement deed has been signed between the parties; and that in full-and-final settlement of all her claims including towards maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., she was to receive a sum of Rs. 50,000/- from the petitioner; out of which Rs. 30,000/- was paid earlier and Rs. 20,000/- has been paid in court today, in compliance of the terms of the settlement. Respondent No.2 confirms that all aspects of the settlement have now been performed.
8. Mr. Sanjay Lao, learned Standing Counsel (Criminal) confirms that the State has no objection to the subject FIR being quashed.
9. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all



subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

10. Accordingly, case FIR No.33/2021 dated 13.01.2021 registered under sections 498-A/406/34 of the IPC at P.S.: Nand Nagri, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Though the mediated settlement also records that the minor child of the parties shall remain in the custody of respondent No.2, and that the petitioner shall have no visitation rights, it is made clear that nothing in the settlement between the parties would affect the right of the minor child to meet his father, if and when he so desires, subject to logistical convenience of the parties.
12. Needless to add that the settlement between the parties leading to the closure of all criminal proceedings by way of the present order, will in no way affect the property rights and other rights of the minor child, namely Divansh vis-à-vis his father, as may be available under law, in any manner whatsoever.
13. Petition stands disposed-of.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J.

JANUARY 16, 2026

V.Rawat