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

+ CRL.M.C. 937/2026 & CRL.M.A. 3720/2026

RAMESH UNIYAL

.....Petitioner

Through: Mr. Madan Lal and Mr. Mayank
Sharma, Advocates.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi, Advocate
SI Kamlesh Chahar, PS Saket.
Mr. Vikhyat Oberoi, Mrs. Nishita
Gupta and Mr. Ravi Sharma,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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04.02.2026

18. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the petitioner seeks quashing of FIR No.171/2025 dated 08.05.2025 registered at PS.: Saket, South Delhi under *Section 85* of Bharatiya Nyaya Sanhita (**BNS**) and *Section 12* of the Protection of Children from Sexual Offences Act, 2012 (**POCSO Act**) and all proceedings emanating therefrom, in view of the Memorandum of Settlement dated 14.01.2026 arrived at between the petitioner and the respondent no.2.

19. The present petition is accompanied by the said Memorandum of Settlement dated 14.01.2026 [**Annexure P2**] alongwith the respective proofs of identity of the private parties.

20. Issue notice. Learned APP for the State accepts notice. He submits that he has no objection to the quashing of the aforesaid FIR No.171/2025 dated 08.05.2025.



21. Respondent no.2, present in Court, also accepts notice and confirms that she and the petitioner are residing together and they have resolved their issue(s). She further states that she has no objection to the quashing of FIR No.171/2025 dated 08.05.2025.

22. Further, the petitioner and the respondent no.2, present in Court, as well as their credentials, as on record, have been identified by the IO.

23. In view of the fact that a Settlement dated 14.01.2026 has already been arrived *inter se* the petitioner and respondent no.2, 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.171/2025 dated 08.05.2025 will be an exercise in futility.

24. Accordingly, and also considering that the FIR in question is emanating from a matrimonial discord *inter se* the husband and wife, who are co-habiting together and have resolved their issue(s), the present petition is allowed and FIR No.171/2025 dated 08.05.2025 registered at PS.: Saket, South Delhi under *Section 85* of BNS and *Section 12* of the POCSO Act and all proceedings emanating therefrom, are quashed.

25. Accordingly, the petition alongwith pending application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

FEBRUARY 4, 2026/NA