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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1059/2026**
AMIT JAISWAL @ AMIT KUMAR JAISWALPetitioner

Through: Mr. Nitya Sharma and Mr. Ankur
Gupta, Advocates.

versus

STATE (G. N. C. T. DELHI) & ANR.Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State.
ASI Arvind Kumar, P.S. Timarpur.
Mr. G.K. Chauhan and Mr. Gaurav
Kumar, and Ms. Bharti Chauhan,
Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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09.02.2026

CRL.M.C. 1059/2026

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner, who are is former husband of the complainant/respondent No. 2, seeks quashing of case FIR No. 123/2020 dated 20.03.2020 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Burari, Delhi.

2. Learned counsel appearing for the petitioner submits, that as would be seen from para 15 of order dated 24.04.2025 recorded by the JMFC, Mahila Court-03, Central District, Tis Hazari Courts, Delhi all other



co-accused persons were discharged of the offence under section 498-A of the IPC; and charges were framed only against the petitioner and one other person Sanjay Kumar @ Sanjay Chaudhary under sections 354/554-A/509 of the IPC. Counsel submits, that the within named person has also passed-away during the pendency of the present proceedings, as evidence by his Death Certificate dated 14.08.2025, a copy of which is appended to the petition.

3. Accordingly, it is submitted that it is only the petitioner who now remains as an accused in the matter.
4. The petition is premised on Settlement dated 30.05.2025 arrived at through mediation before the Counselling Cell, Family Courts, Central District, Tis Hazari Court, Delhi; and Divorce Decree dated 25.09.2025, which is the culmination of petitions under sections 13B(1) and 13B(2) of the Hindu Marriage Act 1955, whereby the parties had sought dissolution of their marriage by mutual consent.
5. The petition is supported by affidavits of the petitioner, as also of respondent No. 2, alongwith proof of their IDs.
6. 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.
7. The parties have confirmed that one child, viz. Shivansh Jaiswal, was born from the wedlock, who is minor as of date.
8. No appeal is stated to have been filed from the divorce decree.
9. The court has queried respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a settlement deed has been entered into 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. 10 lacs from the petitioner; out of which Rs. 7 lacs was paid earlier and Rs.03 lacs has been paid in court today, in compliance of the terms of the settlement deed. Respondent No. 2 confirms that all aspects of the settlement have now been performed.

10. Mr. Nawal Kishore Jha, learned APP confirms that the State has no objection to the subject FIR being quashed.
11. 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.
12. Accordingly, FIR No. 123/2020 dated 20.03.2020 registered under sections 498-A/406/34 'IPC' at P.S.: Burari, Delhi is quashed. All proceedings arising therefrom also stand closed.
13. 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 Shivansh Jaiswal *vis-à-vis* his father, as may be available under law, in any manner whatsoever.



14. Petition stands disposed-of in the above terms.
15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 9, 2026

V.Rawat