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

+ **CRL.M.C. 1213/2026, CRL.M.A. 4873/2026**

KAMAL KUMAR AND ANR

.....Petitioners

Through: Mr. Rajbir Singh Sagar, Advs.
alongwith petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) AND ANR

.....Respondents

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi, Advocate and SI
Bhawna Phogat.
R-2 present in person.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

12.02.2026

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1. By virtue of the present petition *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the petitioners seek quashing of FIR No.0259/2012 dated 19.12.2012 registered at PS.: M.S. Park, Delhi under *Sections 498A/406/34* of the Indian Penal Code, 1860 (***IPC***) and *Section 4* of Dowry Prohibition Act, 1961 and all other proceedings emanating therefrom in view of the Memorandum of Settlement dated 09.10.2024 [***Annexure P5***] arrived at between the petitioner no.1 and respondent no.2, which is accompanied by their respective proofs of identity.

2. Issue Notice.

3. Learned APP for the State accepts notice and submits that he has no objections to the quashing of the aforesaid FIR.

4. Respondent no.2, present in Court, also accepts notice and affirms



the terms of Memorandum of Settlement dated 09.10.2024 and submits that she has voluntarily settled all her disputes with the petitioners. Respondent no.2 further states that she does not wish to pursue the criminal proceedings against the petitioners and has no objection to the quashing of the aforesaid FIR.

5. The petitioners and the respondent no.2, present in Court, as well as their credentials, as on record, have been identified by the IO.

6. Since a settlement has already been arrived at voluntarily between the parties, as also, since accompanying affidavit(s) of the parties involved have also been filed herewith, and the parties shall remain bound by all the terms and conditions thereof, following the law laid down by the Hon'ble Supreme Court in *Jitendra Raghuwanshi & 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 view that the continuation of the FIR and the proceeding emanating therefrom will be an exercise in futility.

7. Accordingly, the petition is allowed and FIR No.0259/2012 dated 19.12.2012 registered at PS.: M.S. Park, Delhi under *Sections 498A/406/34* of the IPC and *Section 4* of Dowry Prohibition Act, 1961 and all other proceedings emanating therefrom are hereby quashed.

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

SAURABH BANERJEE, J

FEBRUARY 12, 2026/bh