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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1222/2026, CRL.M.A. 4939/2026, CRL.M.A. 4940/2026

SHRI SAIKAT BERA AND OTHERS

.....Petitioners

Through: Ms. Bhavya Nihalan, Mr. Mohit Kumar, Advs.

versus

STATE GOVT OF NCT OF DELHI AND ANOTHER

.....Respondents

Through: Mr. Satish Kumar, APP with Mr. Upasana Bakshi and Ms. Divya Bakshi, Advs.
Insp. Satbir Sing, PS: Jait Pur

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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13.02.2026

1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the petitioners seek quashing of FIR No.352/2023 dated 11.07.2023 registered at PS.: Jait Pur, Delhi under *Sections 498A/406/34/354* of the Indian Penal Code, 1860 (***IPC***) and all proceedings emanating therefrom, in view of the Memorandum of Understanding/ Mutual Settlement dated 17.07.2025 [***Annexure P3***] arrived at between petitioner no.1 and respondent no.2, which is accompanied by their respective proofs of identity.

2. Issue notice. Learned APP for the State accepts notice, and submits that he has no objection to the quashing of the aforesaid FIR.

3. Respondent no.2, present in Court, also accepts notice and affirms the terms of the aforesaid Memorandum of Understanding/ Mutual Settlement, whereby the petitioner no.1 has already paid her a sum of Rs.50,000/- out of the total settlement amount of Rs.1,50,000/- and today,



has further handed over the remaining settlement amount of Rs.1,00,000/- in Court (in cash) to her as full and final settlement of all her present, past and future claims including alimony, maintenance, etc. She further submits that her marriage with the petitioner no.1 has since been dissolved by mutual consent, and she has no objection to the quashing of the aforesaid FIR.

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

5. Since, a settlement has already been arrived at voluntarily between the parties and they have chosen to bring their disputes to a naught, 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 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*, continuation of the FIR against the petitioners will be an exercise in futility.

6. Accordingly, the petition is allowed and FIR No.352/2023 dated 11.07.2023 registered at PS.: Jait Pur, Delhi under Sections 498A/406/34/354 of the IPC and all proceedings emanating therefrom are hereby quashed.

7. Accordingly, the petition, alongwith the pending applications, is disposed of.

SAURABH BANERJEE, J

FEBRUARY 13, 2026/Ab