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

+ **CRL.M.C. 1583/2026, CRL.M.A. 6394/2026**

ASHISH UPADHYAY & ORS.Petitioners

Through: Mr. Vipin Singh, Advocate.
Petitioners (Through VC)

versus

THE STATE (GOVT. OF NCT OF DELHI) & Anr. ...Respondents

Through: Mr. Satish Kumar, APP with the
Investigating Officer.
Respondent No.2 (Through VC)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
26.02.2026

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5. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the petitioners seek quashing of FIR No.150/2023 dated 19.04.2023, registered at PS.: R.K. Puram, New Delhi under *Sections 498A/406/34* of the Indian Penal Code, 1860 (***IPC***), and all proceedings emanating therefrom, in view of the Compromise Deed dated 27.10.2025 arrived at between the petitioner no.1 and respondent no.2, which is accompanied by respective proofs of identities.

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

7. Respondent no.2 also accepts notice and confirms the terms of the Compromise Deed dated 27.10.2025. She states that the learned Principal



Judge, Family Court Dehradun, Uttarakhand *vide* order dated 27.10.2025 has allowed the First Motion of the joint application seeking mutual divorce and that she along with the petitioner no.1 will be moving second motion as per their convenience. She further submits that out of the total settlement amount of Rs.5,00,000/-, she had already received an amount of Rs.2,50,000/- and states that the balance amount of Rs.2,50,000/- has to be paid at the time of Second Motion. In view thereof, respondent no.2 states that she has no objection to the quashing of the aforesaid FIR.

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

9. Though the second motion is yet to be filed/ granted in the application seeking mutual divorce, however, the respondent no.2 is serving in Armed Force, and as such is most of the time on the move, as she is currently posted at Gwaldam, District Chamoli, Uttarakhand. Both petitioner no.1 and respondent no.2 submit that they shall be moving the second motion later, in due course.

10. Considering the above factors, as also since a settlement has already been arrived at voluntarily between the petitioner no.1 and respondent no.2, the parties have agreed to remain bound by all the terms and conditions thereof, and they have also filed their respective affidavits, 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 aforesaid FIR against the petitioners will be an exercise in futility.

11. Accordingly, the present petition is allowed and FIR No.150/2023



dated 19.04.2023, registered at PS.: R.K. Puram, New Delhi under *Sections 498A/406/34* of the IPC and all proceedings emanating therefrom are hereby quashed.

12. Accordingly, the petition, alongwith the pending application, is disposed of.

SAURABH BANERJEE, J.

FEBRUARY 26, 2026/NA