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

+ **CRL.M.C. 1694/2026 & CRL.M.A. 6916/2026**

**ASHISH & ORS.**

.....Petitioners

Through: Mr. Divya Kr. Kaushik, Mr. Neeraj Gupta, Ms. Swati Ujjainwal and Ms. Divya Mishra, Advs.

versus

**STATE NCT OF DELHI & ANR.**

.....Respondents

Through: Mr. Satish Kumar, APP for the State with Mr. Dinesh Kumar, Adv. Mr. Neeraj Kant and Mr. Alok, Advs. for R-2, with R-2 in Person SI- Ashish, PS: Kalyan Puri

**CORAM:**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

**19.03.2026**

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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.732/2023 dated 17.08.2023 registered under *Sections 323/342/376(2)(n)/506/34/406/498A/509* of the Indian Penal Code, 1860 (***IPC***) at PS.: Kalyan Puri, Delhi as also all other proceeding(s) emanating therefrom, in view of the Settlement Deed dated 27.08.2025 as [***Annexure P13***]/arrived at *inter se* the petitioner no.1 and the respondent no.2 herein, which is also supported by affidavit(s) of the petitioners and respondent no.2, alongwith proofs of the identities of the parties.
2. Issue Notice. Learned APP for the State accepts notice and records



his objections to the quashing of the aforesaid FIR.

3. Respondent no.2 also accepts notice and affirms the Settlement Deed dated 27.08.2025, in compliance whereof the petitioner no.1 has already paid her a total sum of Rs.4,40,000/- [*Rupees Four Lakhs Forty Thousand Only*] out of the total amount of Rs.6,60,000/- [*Rupees Six Lakhs Sixty Thousand Only*] and a Demand Draft bearing DD No.815522 (Canara Bank) dated 17.03.2026 of Rs.2,20,000/- [*Rupees Two Lakhs Twenty Thousand Only*] has also been handed over to her in Court as a full and final settlement *qua* all her claims including alimony, maintenance (present, past and future), stridhan etc.

4. She further submits that the learned Chief Justice, Family Courts, Saharanpur, Uttar Pradesh has allowed the '*first motion*' in the petition under *Section 13B* of the Hindu Marriage Act, 1955 regarding the decree of divorce by mutual consent *inter se* the petitioner no.1 and respondent no.2 on 27.08.2025. Lastly, respondent no.2 submits that though the matter is next listed for disposal of the said petition on 26.11.2026, however, she has no objection to the quashing of the said FIR even if the '*second motion*' is yet to be granted, particularly in terms of the Settlement Deed executed *inter se* the parties.

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

6. Upon an overall consideration of the existing facts and circumstances, even though this Court is mindful that the present FIR has been registered under *Sections 323/342/376(2)(n)/506/34/406/498A/509* of the IPC, however, this Court is inclined to quash the present FIR in



exercise of its inherent powers under *Section 528* of the BNSS, particularly, since the petitioner no.1 and respondent no.2 wish to end all disputes between themselves and continue living their respective lives peacefully.

7. In view of the above, since a Settlement has been already arrived voluntarily between the petitioner no.1 and respondent no.2 along with their respective affidavit(s) *qua* the aforesaid effect, they shall remain bound by all the terms and conditions thereof. Thus, 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*, since there is nothing left to corroborate and prove the case of the prosecution, continuation of the aforesaid FIR against the petitioners will be an exercise in futility.

8. Accordingly, the present petition is allowed and FIR No.732/2023 dated 17.08.2023 registered under *Sections 323/342/376(2)(n)/506/34/406/498A/509* of the IPC at PS.: Kalyan Puri, Delhi and all proceedings emanating therefrom are hereby quashed.

9. As such, the petition, alongwith the pending application, is disposed of in the aforesaid terms.

**SAURABH BANERJEE, J.**

**MARCH 19, 2026/Ab**