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

+ **W.P.(CRL) 981/2026**

MAHENDER KUMAR & ORS.

.....Petitioners

Through: Mr. O.P. Aggarwal, Adv. with
petitioners in person (through VC)

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Sanjay Lao, SC for State with
Mr. Abhinav Kumar Arya and Mr.
Aryan Sachdeva, Adv. with ASI
Jitendra Kr., PS: Bhajan Pura
Mr. Manish Verma, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
13.05.2026

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1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek quashing of the FIR No.432/2024 dated 29.06.2024 registered at PS: Bhajan Pura under *Sections 498A/406/34* of the Indian Penal Code, 1860 (*IPC*) and all proceedings emanating therefrom, in view of Memorandum of Understanding dated 06.05.2026, arrived at between the petitioner no.1 and the respondent no.2, which is accompanied by their respective proofs of identities.

2. Issue notice. Learned Standing Counsel 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 dated 06.05.2026 whereby the petitioner no.1 has already paid her an amount of Rs.3,00,000/- out of total amount of Rs.3,50,000/- and a Demand Draft being DD No.196644 dated 12.05.2026 (Punjab and Sind Bank, Branch- Jagat Puri, New Modern Shahdara, Delhi) of Rs.50,000/- has been handed over to the respondent no.2 today 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 under *Section 13B(2)* of the Hindu Marriage Act, 1955 *vide* Decree dated 16.12.2025 and as such, 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 Investigating Officer.

5. Facts disclose that a settlement has already been arrived voluntarily between the petitioners and the respondent no.2 and the present petition is accompanied by their respective affidavit(s) *qua* the said effect. In view thereof, they shall remain bound by all the terms and conditions of the settlement arrived *inter se* themselves. As such, 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.

6. Thus, the present petition is allowed and FIR No.432/2024 dated



29.06.2024 registered at PS: Bhajan Pura under *Sections 498A/406/34* of the IPC and all proceedings emanating therefrom are hereby quashed.

7. Accordingly, the present petition is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

MAY 13, 2026/So