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

% ***Date of Decision: 1st April, 2026***

+ **CRL.M.C. 2430/2026 & CRL.M.A. 9883/2026**

SHIVA & ORS.

.....Petitioner

Through: Mr. Hans Sharma and Mr. Arpit
Verma, Advocate with petitioners in
person.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for the State with
SI Dipika, PS Adarsh Nagar.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No. 62/2022 dated 12.01.2022, registered at Police Station Adarsh Nagar for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. The marriage between complainant (respondent No.2 herein) and petitioner No.1 was solemnized on 11.11.2016, as per Hindu rites and customs. They were blessed with two daughters from the abovesaid wedlock.
3. However, on account of temperamental differences, the parties started residing separately and when a complaint was lodged by respondent No.2, it resulted into registration of the abovesaid FIR.
4. Charge-sheet has already been filed but charges are yet not ascertained.
5. With the intervention of common friends and relatives, parties have



entered into a comprehensive *Memorandum of Understanding* (MoU) dated 18.03.2025 and have been able to resolve all their disputes and have decided to part ways, gracefully. The custody of the elder daughter would remain with the father and younger daughter would remain with the mother, with monthly visitation rights as per the terms of the MoU.

6. It is in the abovesaid backdrop that quashing is being sought.

7. Respondent no. 2 is present in person along with her father and she has been duly identified by Investigating Officer, who is present in Court.

8. When asked, respondent No. 2 reiterates the terms of abovesaid settlement. She also submits that there is already a divorce between them by way of mutual consent on 30.08.2025. She states that she has agreed to accept a total sum of Rs. 4,50,000/- as full and final settlement *in lieu* of *istridhan*, alimony, maintenance for self (past, present and future). She submits that she has already received the abovesaid amount as well as her *istridhan* articles as described in mediation proceedings. She states that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever and therefore, she would have '*no objection*' if FIR in question is quashed.

9. The next date before the learned Trial Court is stated to be 27.04.2026.

10. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose, especially, when dispute does not involve any public interest and is, primarily, private in nature. In any case, even the complainant does not wish to press any charges against the petitioners.

11. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed



appropriate to quash the instant FIR.

12. Consequently, to secure the ends of justice, FIR No. 62/2022 dated 12.01.2022, registered at Police Station Adarsh Nagar for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed subject to petitioners depositing total cost of Rs. 15,000 with *Rohini Court Bar Association* within four weeks from today. Proof of deposit of cost along with original affidavits and MoU of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court on the next date of hearing, so that these become part of Trial Court Record.

13. The petition stands disposed of in aforesaid terms.

14. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 01, 2026
st/pb