



\$~71

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

+ CRL.M.C. 2455/2026, CRL.M.A. 10010/2026-Exp.

HIMANSHU YADAV @ HAPPY & ANR.Petitioners

Through: Mr. Haneef Mohammad and Mr.
Ashwani Kumar, Advocates
alongwith petitioners in person

versus

THE STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Raghuvinder Verma, APP for
the State with Mr. Aditya Vikram
Singh, Advocate alongwith SI
Vimal Kumar, PS Mehrauli
Mr. Nipun Jain, Advocate for R-2
alongwith R-2 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
02.04.2026

%

1. The petitioner vide the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeks quashing of FIR No. 758/2024 dated 03.11.2024 registered at P.S.: Mehrauli, Delhi under *Sections 74/76/78/79/115(2)/351(2)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**) and all proceeding emanating therefrom in view of the Settlement Deed/ Memorandum of Understanding (MoU) dated 14.02.2026 arrived between the petitioners and the respondent no.2, which is accompanied by their respective proofs of identities.
2. Issue notice.
3. Learned APP for the State accepts notice. He submits that he has no objection to the quashing of the aforesaid FIR.



4. Respondent no.2, present in Court, also accepts notice and submits that she has no objection to the quashing of the aforesaid FIR.

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. *De hors* the allegations and the sections involved, facts disclose that the petitioners and respondent nos.2 have voluntarily arrived at a settlement qua which they have also filed accompanying affidavit(s) herein, and the parties 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 Raghuvanshi & 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***, this Court is of the considered opinion that there is nothing left to corroborate and prove the case of the prosecution, and thus, continuation of the aforesaid FIR against the petitioners will be an exercise in futility.

7. Accordingly, the present petition is allowed and FIR No. 758/2024 dated 03.11.2024 registered at PS Mehrauli, Delhi under Sections 74/76/78/79/115(2)/351(2)/3(5) of BNS and all proceeding emanating therefrom are quashed.

8. The petition alongwith the pending application, if any, stands disposed of.

SAURABH BANERJEE, J.

APRIL 2, 2026/rr