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

+ CRL.M.C. 2940/2026, CRL.M.A. 11992/2026

SUMIT KUMAR & ORS

.....Petitioner

Through: Ms. Bharti Tyagi and Mr. Vikash
Kumar, Advocates.

versus

STATE (NCT OF DELHI) & Anr.

.....Respondent

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi, Ms. Divya Bakshi
and Mr. Gourav Singh, Advocates.
ASI Anil Kumar and ASI Om
Prakash, PS-Sarai Rohilla.
Mr. Sunil Gupta, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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20.04.2026

1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the petitioners seeks quashing of the FIR No.0117/2021 dated 10.03.2021 registered at PS.: Sarai Rohilla under *Sections 498A/406/34* of the Indian Penal Code, 1860 (***IPC***) and all proceedings emanating therefrom, in view of Settlement Agreement dated 02.05.2025 (***Annexure P2***), whereby the petitioner no.1 and the respondent no.2 have mutually and amicably resolved their disputes.
2. Issue notice. Learned APP 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 Settlement Agreement dated 02.05.2025. She submits that in compliance thereof out of total settlement amount of Rs.22,00,000/-, the petitioner no.1 has already paid her the settlement amount of Rs.15,00,000/- and a Demand Draft being DD No.005498 dated 18.04.2026 (HDFC Bank) of Rs.7,00,000/- has been handed over to her today as full and final settlement of all her present, past and future claims including alimony, maintenance, etc.

4. Respondent no.2 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, 1995 *vide* Decree dated 15.01.2026, and as such, 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. 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.



7. Thus, the present petition is allowed and FIR No.0117/2021 dated 10.03.2021 registered at PS.: Sarai Rohilla under *Sections 498A/406/34* of the IPC and all proceedings emanating therefrom are hereby quashed.

8. Accordingly, the present petition, alongwith the pending application, is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

APRIL 20, 2026/NA