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

% ***Date of Decision: 11th May, 2026***

+ CRL.M.C. 3623/2026

HEMENDER KUMAR AND ORS

.....Petitioner

Through: Ms. Radhika Tandon and Mr. Shiv
Kumar, Advocates with petitioners.

versus

STATE NCT OF DELHI AND ANR.....Respondent

Through: Mr. Raj Kumar, APP with SI Nikhil
Kumar.

Mr. Yashi Jain, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioners herein seek quashing of FIR No. 139/2022 dated 12.02.2022 registered at Police Station Ambedkar Nagar for commission of offences under Sections 498A/406/506/34 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. Marriage between petitioner No. 1 and respondent No. 2 was solemnized on 11.12.2019 according to Hindu rites and ceremonies. The couple was blessed with one baby girl.
3. However, on account of some matrimonial discord and temperamental differences, the parties started residing separately and when a complaint was lodged by respondent No. 2 it resulted into in registration of abovesaid FIR.
4. Charge-sheet has been filed and the case is at the stage of Prosecution Evidence.
5. With the intervention of common friends and relatives, parties have entered into a comprehensive *Memorandum of Understanding* (MoU) dated



20.02.2025 and have been able to resolve all their disputes and have decided to part ways, gracefully. According to the settlement, custody of the baby girl will remain with respondent No. 2 and petitioner No. 1 shall have no visitation rights.

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

7. Petitioners are present in person.

8. Respondent No.2 is present with her counsel and has been duly identified by her counsel as well as by Investigating Officer.

9. When asked, respondent No. 2 reiterates the terms of settlement as mentioned in *Memorandum of Understanding* on 20.02.2025. She also submits that there is already a divorce between them by way of mutual consent on 22.05.2025. She states that she has agreed to accept a total sum of Rs. 7,00,000/- towards her *istridhan*, alimony, maintenance (past, present and future). She submits that she has already received a sum of Rs. 5,00,000/- and balance amount of Rs. 2,00,000/- has been received today in cash before the commencement of the proceedings. She also submits that her jewellery and other articles have already been received by her.

10. 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.

11. 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.



12. 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.

13. Consequently, to secure the ends of justice, FIR No. 139/2022 dated 12.02.2022, registered at Police Station Ambedkar Nagar for commission of offences under Sections 498A/406/506/34 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed subject to petitioners' depositing total cost of Rs. 15,000/- in the account of *Delhi High Court Legal Services Committee* on or before the next date of hearing before the learned Trial Court i.e. 31.07.2026. Original MoU as well as original affidavits of the parties shall be also submitted before the learned Trial Court.

14. The petition stands disposed of in aforesaid terms.

15. Pending application also stands disposed of.

(MANOJ JAIN)
JUDGE

MAY 11, 2026/sw/pb