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

% ***Date of Decision: 22nd May, 2026***

+ CRL.M.C. 4096/2026 & CRL.M.A. 16564/2026

UPENDER@UPENDRA TEJ SINGH TOMAR & ORS.

.....Petitioner

Through: Mr. Satish Chand, Ms. Mariya
Khatoon, Ms. Sakshi Bansal, Ms.
Shweta and Ms. Aarti, Advocates.
Petitioner in person.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Raj Kumar, APP for the State with
W/SI Prachi Singh.
Mr. Vipin Kumar, Advocate for R-2
alongwith 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. 0340/2019 dated 14.11.2019, registered at Police Station Mayur Vihar PH-I, Delhi, 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 28.11.2012 as per Hindu rites and Ceremonies. One girl child was born 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. It is submitted that during the pendency of the matter, the father-in-law of respondent No.2 has already expired.

5. In the interregnum, both the parties have entered into a comprehensive *Memorandum of Understanding* (MoU) dated 12.11.2024 executed before the Counselling Cell, Family Courts, Karkardooma Courts, East District, Delhi and have been able to resolve all their disputes and have decided to part ways, gracefully. The custody of the child would remain with the mother i.e. respondent No.2, with no visitation rights to petitioner No.1.

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

7. Respondent no. 2 is present in-person in Court along with her father and she has been duly identified by her counsel as well as by Investigating Officer.

8. When asked, respondent No. 2 reiterated the terms of the settlement. She submits that there is already a divorce between them by way of mutual consent on 26.05.2025. She states that she has agreed to accept a total sum of Rs.3,00,000/- as full and final settlement *in lieu of istridhan*, alimony, maintenance for self (past, present and future). She submits that she has already received Rs.2,00,000/- and the balance amount of Rs.1,00,000/- has been received today in the shape of Demand Draft drawn on State Bank of India. 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. 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.

10. 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.

11. Consequently, to secure the ends of justice, FIR No. 0340/2019 dated 14.11.2019, registered at Police Station Mayur Vihar PH-I, Delhi, for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed subject to petitioners depositing cost of Rs. 10,000/- in the account of *Delhi High Court Legal Services Committee (DHCLSC)* within four weeks.

12. Proof of deposit of the cost as well as Original affidavits and MoU of the parties, shall be submitted before the learned Trial Court within further two weeks from today.

13. The present petition stands disposed of in aforesaid terms.

14. Pending application also stands disposed of.

(MANOJ JAIN)
JUDGE

MAY 22, 2026/ss/sa