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

\# **CNR No. DLHC010434522026**

\+ **W.P.(CRL) 2826/2026**

UMESH KUMAR & ORS. .....Petitioners

Through: Mr. Harvinder Das along with Ms. Priyamvada, Ms. Astha Modi, Advs.
Petitioner in person.

versus

STATE NCT OF DELHI & ANR. .....Respondents

Through: Mr. Sanjay Lao, Standing counsel
Mr. Laimon Rani Baro, Ms. Preeti Jakhar, Mr. Minem Gahja, Advs. for R-2.
Respondent no.2 in person.
SI Seema, P.S. Dwarka Sec. 23.

**CORAM:**
**HON'BLE MS. JUSTICE MADHU JAIN**

**O R D E R**

**% 07.10.2026**

1. This hearing has been done through hybrid mode.

2. By way of the present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS') read with Article 226 of the Constitution of India, the petitioners seek quashing of **FIR No. 219/2025**, registered at Police Station Dwarka Sector-23, Delhi, under Sections 85, 316(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the 'BNS'), along with all consequential proceedings arising therefrom, on the basis of an amicable settlement arrived at between the parties.

3. Issue notice. Learned APP for the State accepts notice on behalf of the State.

4. The petitioners and Respondent No. 2 are present before this Court and have been identified by the Investigating Officer (IO) concerned.

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5. Briefly stated, the marriage between Petitioner No. 1 and Respondent No. 2 was solemnised on 22.04.2023 according to Hindu rites and customs. No child was born out of the wedlock, and due to temperamental differences, the parties started residing separately from 27.04.2025. On the complaint of Respondent No. 2, **FIR No. 219/2025** dated 26.08.2025 was registered at P.S. Dwarka Sector-23 under Sections 85, 316(2) and 3(5) of the BNS. No chargesheet/final report has been filed to date.

6. Thereafter, the parties amicably settled all their matrimonial disputes vide Settlement dated 15.11.2025 before the Delhi Mediation Centre, Tis Hazari Courts, for a total sum of Rs. 7,50,000/- (Rupees Seven Lakhs Fifty Thousand only). Petitioner No. 1 has already paid Rs. 5,00,000/- (Rupees Five Lakhs only). The parties have also obtained a decree of divorce by mutual consent under Section 13-B(2) of the HMA on 15.07.2026. Respondent No. 2 has agreed to cooperate in quashing the FIR and has stated that no claims or grievances survive between the parties.

7. Learned counsel for the petitioners submits that, in terms of the Settlement Deed dated 15.11.2025, the balance amount of Rs. 2,50,000/- (Rupees Two Lakhs Fifty Thousand only) is payable to Respondent No. 2 at the time of quashing of the present FIR.

8. Learned counsel for the petitioners further submits that the balance amount of Rs. 2,50,000/- (Rupees Two Lakhs Fifty Thousand only) has been handed over to Respondent No. 2 today in Court by way of ***Demand Draft bearing No. 025676***. It is further submitted that, with the said payment, the terms and conditions of the settlement stand fully complied with and nothing further remains to be paid by either party under the settlement.

9. On a query made by this Court, Respondent No. 2, who has been duly identified by the IO, categorically states that she has entered into the settlement

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of her own free will and without any force, coercion or undue influence. She further states that the entire settled amount has been received by her and that she has no surviving claim whatsoever against the petitioners. She has no objection if the present FIR and all proceedings emanating therefrom are quashed.

10. In view of the fact that the parties have amicably resolved all their disputes, the marriage already stands dissolved by a decree of divorce by mutual consent, the entire settlement amount has been paid, and Respondent No. 2 has no objection to the quashing of the FIR, no useful purpose would be served in continuing the criminal proceedings. Rather, continuation thereof would only perpetuate unnecessary litigation between the parties. There is no legal impediment to quashing the FIR in the facts and circumstances of the present case.

11. Accordingly, **FIR No. 219/2025**, registered at Police Station Dwarka Sector-23, Delhi, for the offences punishable under Sections 85, 316(2) and 3(5) of the BNS, 2023, along with all consequential proceedings emanating therefrom, is hereby quashed.

12. The present petition, along with pending application(s), if any, stands disposed of.

13. Copy of the order be communicated to the concerned learned Trial Court for necessary action and compliance.

14. The order be uploaded on the website forthwith.

**MADHU JAIN, J**

**OCTOBER 7, 2026**/*prg/yt*

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