



2025:DHC:5785



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

Date of Decision: 18.07.2025

CRL.M.C. 3028/2025, CRL.M.A. 13460/2025

SAURABH KUMAR & ORS.Petitioners

Through: Ms. Khyati Jain, Adv.

versus

STATE NCTOF DELHI & ANR.Respondents

Through: Mr. Satish Kumar, APP for
State with SI Kushank, PS
Swaroop Nagar.
Respondent no. 2 in person.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J (ORAL)

1. The present petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No. 385/2019, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860, registered at police station Swaroop Nagar, Delhi and all consequential proceedings arising therefrom.
2. The learned counsel for the petitioners submits that the petitioner no.1 is the husband of respondent no.2 and their marriage



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was solemnized on 08.12.2016, in accordance with the Hindu rites and customs at Delhi and no child was born out of the said wedlock.. However, owing to certain misunderstandings, the parties started living separately since 12.07.2017.

3. The learned counsel submits that the marriage of the parties suffered an irretrievable breakdown, attributable to the temperamental incompatibility between petitioner no.1 and respondent no.2. He submits that, it is this matrimonial dispute that resulted in the registration of the present FIR and filing of litigations by respondent no.2.

4. He submits that during the pendency of litigation, with the intervention of the family members, well-wishers and mutual acquaintances, they arrived at an amicable settlement to resolve their disputes vide MOU dated 20.09.2022 and no further dispute subsists between them. Moreover, the divorce by way of mutual consent has also taken place between the parties *vide* the divorce decree dated 31.05.2023, passed by the learned Principal Judge, Family Courts, North, Rohini Courts, New Delhi and no appeal is stated to have been filed from the divorce decree.

5. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a MOU dated 20.09.2022 has been duly executed between the petitioner no. 1 and the respondent no. 2. It is further submitted that, in terms of the said Settlement, respondent



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no. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

6. As per the terms of Settlement, it has been agreed that the petitioner no.1 shall pay a total sum of Rs. 12,00,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), *stridhan*, permanent alimony, in three (03) instalments. The said MOU dated 20.09.2022 embodying the terms of settlement has been placed on record.

7. Pursuant to the said settlement, the parties appeared before the Joint Registrar (Judicial) on 16.05.2025 wherein, their statements are recorded. The respondent no. 2 in her statement, has categorically stated that she has no objection if the subject FIR and the consequential proceedings arising out of it are quashed.

8. Before this Court, the Investigating Officer has duly identified the parties and they have confirmed that they are abiding by all the terms of the Settlement. The petitioner no. 3 is stated to have expired, and the proceedings qua petitioner no. 3 have been abated.

9. The complainant/respondent no. 2, who is present-in-person before this Court, upon being queried, confirms that the Mediation Settlement Deed dated 20.09.2022 has been entered into between the parties out of her free will, without any coercion, force or undue influence and that she has withdrawn the litigations filed by her before different Judicial fora and no other litigation remains pending between the parties. She confirms that she has received all the settlement amount from the petitioners and the marriage has been dissolved by



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way of mutual consent by the divorce decree dated 31.05.2023, passed by the learned Principal Judge, Family Courts, North, Rohini Courts, New Delhi. Furthermore, no litigation stand pending between the parties and she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

10. In view of the foregoing, the learned counsels of the parties, jointly prayed, for quashing of the subject FIR.

11. The learned APP appearing for the state confirms that the State has no objection to the subject FIR being quashed.

12. In these circumstances, and having regard to the principles laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 and *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, and in view of the fact that the parties have amicably resolved their disputes voluntarily and without any coercion, this Court is of the considered opinion that no useful purpose would be served by continuing with the criminal proceedings. On the contrary, such continuation is likely to foster further animosity between the parties. Accordingly, in the interest of justice, the subject FIR and all proceedings emanating therefrom deserve to be quashed.

13. In conspectus of the above facts and the MOU dated 20.09.2022, the subject FIR No. 385/2019, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860, registered at police station Swaroop Nagar, Delhi and all consequential proceedings emanating therefrom, are hereby quashed.



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14. The present petition is accordingly disposed of in the aforesaid terms.

SHALINDER KAUR, J

JULY 18, 2025/SU/KP

Click here to check corrigendum, if any