



\$~58

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

Date of Decision: 03rd September, 2026

CNR No. DLHC010413372026

+ CRL.M.C. 6495/2026 & CRL.M.A. 27158/2026 & CRL.M.A. 27159/2026

SUSHIL KUMAR & ORS.

.....Petitioners

Through: Mr. Udai Dhawan with Mr. Awdhesh Kumar Chauhan, Advocates with petitioners in person.

versus

STATE OF N.C.T. (DELHI) & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for the State with SK Mohd. Intzar, PS New Friends Colony.

Mr. Dev Karan, Mr. Sanjeev Kumar, Mr. Brijesh Tiwari, Mr. Satya Prakash, Mr. Rajinder Pal Singh, Mr. Pawan Kumar and Mr. Sunny, Advocates for respondent No.2 with 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. 198/2023 dated 17.06.2023, registered at Police Station New Friends Colony, for commission of offences under Sections 498A/406/323/34 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 20.12.2020, as per Hindu rites and



customs. One male child is 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, *albeit*, charges have yet not been ascertained.

5. With the intervention of common friends and relatives, parties have entered into a comprehensive *Memorandum of Understanding* (MoU) dated 26.07.2025 and have been able to resolve all their disputes and have decided to part ways gracefully.

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

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

8. When asked, she submits that the matter has been amicably settled and confirms terms of settlement, as recorded in the abovesaid *Memorandum of Understanding* (MoU) dated 26.07.2025. She also submits that in terms of settlement, there is already a divorce by way of mutual consent which was granted by learned Judge, Family Court on 31.07.2026. She submits that as per terms of settlement, her son would remain in her custody and the petitioners would have visitation rights, which have already been sufficiently described in the *Memorandum of Understanding* (MoU) dated 26.07.2025. She has also agreed to accept a sum of Rs.20,00,000/- as full and final settlement *in lieu* of *istridhan*, alimony, maintenance for self (past, present and future). She submits that she has already received a sun of Rs.10,00,000/- and the balance amount of Rs.10,00,000/- is lying deposited before the learned Trial Court seized with the abovesaid FIR and states that once the



present petition is quashed, she would collect the same from the learned Trial Court.

9. Learned counsel for the petitioner also submits that they would have *no objection* if the abovesaid draft is withdrawn by her unconditionally.

10. Respondent No.2 submits 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. 198/2023 dated 17.06.2023, registered at Police Station New Friends Colony, for commission of offences under Sections 498A/406/323/34 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed. Original affidavits and MoU of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court within two weeks from today, so that these become part of Trial Court Record.

14. Respondent No.2 would be at liberty to collect the stated draft of Rs.10,00,000/- from the abovesaid Court.



15. The petition stands disposed of in aforesaid terms.
16. Pending applications also stand disposed of.

(MANOJ JAIN)
JUDGE

SEPTEMBER 3, 2026/st/sk