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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% *Date of Decision: 16th April, 2026*

+ CRL.M.C. 2370/2025

VIVEK KUMAR AND ORS

.....Petitioner

Through: Mr. Kartikay Mathur with Mr.
Devender Dubey, Mr. Ratnish
Shrivastava, Advocates.

versus

GOVT OFNCT OF DELHI AND ANR

.....Respondent

Through: Ms. Priyanka Dalal, APP with SI
Saurabh Kumar with W/SI Neeraj.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No. 1081/2021 dated 19.12.2021, registered at Police Station Shalimar Bagh, 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 14.02.2015 as per Hindu rites and customs. Two children were 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.
5. When the parties were referred to *Counselling Cell, Family Courts, Rohini Court Complex, Delhi*, they entered into a comprehensive *Memorandum of Understanding (MoU)* dated 13.05.2024 and have been able



to resolve all their disputes and have decided to part ways, gracefully. The custody of the girl-child would remain with the respondent No.2/Mother and custody of boy-child would remain with petitioner No.1-father, with visitation rights, as per the terms of the MoU.

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

7. Petitioner No.1 is present in person. His father- Shri Hariom (petitioner No.3) has already expired which fact has also been confirmed by the prosecution. The other two petitioners have joined the proceedings through *video-conferencing*.

8. Respondent no. 2 is present in person and she has been duly identified by Investigating Officer/previous Investigating Officer.

9. It is noticed that the comprehensive statement of respondent No.2 has already been recorded by learned Joint Registrar (judicial) on 16.05.2025. Besides her, statement of petitioner No.1 has also been recorded.

10. When asked, respondent No. 2 reiterates the terms of abovesaid settlement. She submits that there is already a divorce between them by way of mutual consent on 07.12.2024. She states that she has agreed to accept a total sum of Rs. 2,70,000/- as full and final settlement *in lieu of istridhan*, alimony, maintenance for self (past, present and future). She submits that she has already received the entire amount. 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. Both the parties also undertake to abide by the terms related to the visitation as mentioned in the settlement dated 13.05.2024.

12. 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.

13. 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.

14. Consequently, to secure the ends of justice, FIR No. 1081/2021 dated 19.12.2021, registered at Police Station Shalimar Bagh, for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed.

15. Original affidavits of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court within four weeks from today, so that these become part of Trial Court Record.

16. The petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 16, 2026/sw/pb