



2026:DHC:1470



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

% ***Date of Decision: 18th February, 2026***

+ **CRL.M.C. 1371/2026 & CRL.M.A. 5506/2026**

NARESH KASHYAP & ORS.Petitioners

Through: Mr. Tushant, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

**Through: Mr. Raj Kumar, APP for the State with
SI Dharmveer, SI Puran Singh, PS
Dabri.**

**Mr. Abhilash, Advocate for
respondent No.2.**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No.398/2018 dated 27.07.2018, registered at P.S. Dabri, 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. Petitioner No.1 got married to respondent No.2 on 04.11.2014, as per Hindu rites and ceremonies. The parties were blessed with a baby boy from such wedlock in the year 2015.
3. However, on account of some compatibility issues, parties started living separately and, on account of such matrimonial discord, a complaint was lodged by respondent No.2 with CAW Cell, Dwarka, Sector-9, New Delhi, which resulted into registration of abovesaid FIR.
4. Charge-sheet has been filed and charges have already been framed and



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the case is already at the stage of prosecution evidence and the next date is 28.02.2026.

5. Fact, however, remains that both the parties have been able to settle all their matrimonial disputes and have agreed to part ways in a graceful manner.

6. The terms of settlement are found recorded in Memorandum of Understanding (MOU) dated 19.05.2025.

7. All the petitioners, except petitioner No.2-Smt. Bhur Devi @ Bhuri Devi, are present physically in Court. It is submitted that on account of her medical condition, she is unable to enter inside the premises, though, she is present outside the Court premises.

8. Respondent No.2 is present in Court with her counsel. The Investigating Officer (I.O.) is also present and identifies her.

9. When asked, Respondent No.2 reiterated the terms of such settlement and submitted that marriage has been dissolved by decree of divorce dated 15.12.2025 by mutual consent under Section 13B(2) of Hindu Marriage Act, 1955. She also submits that, in terms of settlement, she has agreed to accept a sum of Rs.10 lacs *in lieu* of alimony, *istridhan*, maintenance for self (past, present and future) and submits that the entire abovesaid amount has already been received by her. She also submits that, as per the settlement terms, her son would remain in her custody, with no visitation rights to the petitioners. She submits that she has entered into the abovesaid settlement voluntarily and there is no threat, force or coercion from any side, whatsoever.

10. The affidavits of all the petitioners as well as respondent No.2 are also annexed with the petition. The contents of the affidavits have also been perused.

11. In view of the settlement arrived at between the parties, continuing with



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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 the BNSS, it is deemed appropriate to quash the instant FIR.

13. Consequently, to secure the ends of justice, FIR No.398/2018 dated 27.07.2018, registered at P.S. Dabri, for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings emanating therefrom, is hereby, quashed.

14. The petition stands disposed of in aforesaid terms.

15. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

FEBRUARY 18, 2026/st/pb