



2026:DHC:1535



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

% *Date of Decision: 19<sup>th</sup> February, 2026*

+ CRL.M.C. 1416/2026

SANTOSH KUMAR

.....Petitioner

Through: Mr. Sumit Solanki with Mr. S Solanki,  
Mr. P K Pandey, Mr. Rohan Sharma,  
Mr. Abhay Chaturvedi and Mr.  
Abhishek Dubey, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Ms. Priyanka Dalal, APP with  
Mr. Jagat Singh, Advocate for R-2  
with SI Himanshu with SI Bala Rani.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. Petitioner herein seeks quashing of FIR No. 281/2017 dated 04.09.2017, registered at P.S. Najafgarh, New Delhi, for commission of offences under Sections 498-A/406/34 IPC along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. Petitioner- Santosh Kumar got married to respondent No.2 on 12.05.2011 as per Hindu rites and ceremonies in Bihar.
3. There is no child from the abovesaid wedlock.
4. However, due to certain temperamental differences, the parties started living separately w.e.f. October 2013.
5. On account of matrimonial discord, a complaint was lodged by respondent No.2, which resulted into registration of abovesaid FIR.



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6. In the chargesheet, name of her husband has been shown in column No.11.
7. The names of other relatives of her husband, though, stand reflected in column No.12, none of them were summoned and the cognizance is *qua* petitioner-Mr. Santosh Kumar only.
8. Fortunately, all the disputes relating to the abovesaid marriage, have been amicably settled under the aegis of *Mediation Centre, Dwarka Courts, New Delhi* on 07.03.2025.
9. In terms of such settlement, parties have already obtained divorce by way of mutual consent on 09.10.2025. All other cases have also been withdrawn by the respective parties.
10. Respondent No.2 has joined the proceeding through video conferencing with her counsel and she has been duly identified by her counsel.
11. The Investigating Officer (I.O.) is present and identifies her.
12. Respondent No.2 submits that she has entered into the abovesaid settlement voluntarily and there is no threat, force or coercion from any side, whatsoever.
13. During the course of arguments, when asked, Respondent No.2 reiterated the terms of settlement and agreed to accept a sum of Rs. 7,20,000/- as full and final settlement *in lieu* of alimony, *istridhan*, maintenance for self (past, present and future). She has already received a sum of Rs.4,00,000/- and the balance amount of Rs.3,20,000/- has been received by her today, by way of Demand Draft bearing No. 921336 dated 07.02.2026 drawn on IDFC First Bank.
14. The copy of decree of divorce is also on record.



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15. Respondent No.2 reiterates the terms of settlement and has also filed an affidavit stating therein that since she has settled all her disputes with the petitioners amicably, she would have no objection if the present FIR is quashed.

16. 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.

17. Accordingly, exercising inherent powers vested in this Court under Section 528 of the BNSS, it is deemed appropriate to quash the instant FIR.

18. Consequently, to secure the ends of justice, FIR No. 281/2017 dated 04.09.2017, registered at P.S. Najafgarh, New Delhi, for commission of offences under Sections 498-A/406/34 IPC, along with all consequential proceedings emanating therefrom, is hereby, quashed.

19. The petition stands disposed of in aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**FEBRUARY 19, 2026/sw/pb**