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

+ **W.P.(CRL) 986/2025 & CRL.M.A. 9305/2025**

JONEY PATEL @NIKHIL AND ORSPetitioners

Through: Mr. R.M.Asif and Mr. Mateen
Ahmad, Advocates.

versus

STATE OF NCT DELHI AND ANRRespondents

Through: Ms. Rupali Bandhopadhyaya, ASC
(Criminal) for the State.
W/SI Neha, PS Mehrauli.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **27.03.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 9307/2025 (exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.A. 9306/2025 (no coercive steps)

3. The present application under Section 528 of the BNSS seeks following prayers:-

- “a) Direct that no coercive action be taken against the Petitioners during the pendency of the present quashing petition;
b) Pass such other and further orders as may be deemed just, fit, and proper in the interest of justice.”

4. Learned counsel appearing on behalf of the applicant/petitioner does not wish to press the present application and seeks leave to withdraw the same.

5. Leave granted.

6. The present application is dismissed as withdrawn and disposed of accordingly.



W.P.(CRL) 986/2025 & CRL.M.A. 9305/2025

7. The present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS (Section 482 of the CrPC) seeks following prayers:-

- “a. Quash FIR No. 138 of 2019, dated 22.02.2019, under Sections 498A/406/34 IPC, registered at Police Station Mehrauli, New Delhi, along with all consequential proceedings emanating therefrom;
- b. Direct that no coercive action be taken against the petitioners in relation to the said FIR;
- c. Pass such other and further orders as may be deemed just, fit, and necessary in the interest of justice.”

8. Learned counsel appearing on behalf of the petitioners submits that a settlement had been arrived at between the petitioner no. 1 and respondent no. 2 before the Mediation Centre, Saket Courts *vide* agreement dated 02.11.2023. It is submitted that in pursuance of the same respondent no. 2 had withdrawn the complaint under the Protection of Women from Domestic Violence Act and the decree of divorce has also been granted by the learned Family Court. It is further submitted that respondent no. 2 has since re-married.

9. Issue notice.

10. Learned ASC for the State accepts notice.

11. Issue notice to respondent no. 2, to be served through SHO concerned for the next date of hearing.

12. Let the decree of divorce be placed on record by learned counsel for the petitioner before the next date of hearing.

13. List on 30.04.2025.

AMIT SHARMA, J

MARCH 27, 2025/sn/pr

[Click here to check corrigendum, if any](#)