



Neutral Citation Number 2023:DHC:5897

\$~32

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

% Judgment delivered on: 17th August, 2023

+ CRL.M.C. 5856/2023

MOHIT NAGI & ORS. Petitioners

versus

STATE OF NCT DELHI & ORS. Respondents

Advocates who appeared in this case:

For the Petitioner: Ms. Stuti Mishra with Mr.Saksham Arora, Advocates.

For the Respondent: Ms. Priyanka Dalal, APP for the State.
SI Dhananjay Gupta, PS Cyber West.
Mr. Baldev Singh with Mr.Dinyemsh Thakur, Advocates.

CORAM:-

HON'BLE MR. JUSTICE MANOJ JAIN
JUDGMENT

MANOJ JAIN, J. (ORAL)

1. This is a petition under Section 482 Cr.P.C. seeking for quashing of FIR No. 372/2016, under Sections 498A/406/34 IPC, registered at Police Station Hari Nagar and all proceedings emanating therefrom.

2. Issue notice.

3. Ms. Priyanka Dalal, learned APP along with Investigating Officer SI Dhananjay Gupta, PS Cyber West appears on advance



Neutral Citation Number 2023:DHC:5897

notice and accepts notice.

4. As per the facts mentioned in the present petition, the marriage between the petitioner no. 1 and respondent no. 3 was solemnized on 03.11.2014 in Delhi according to Hindu rites and ceremonies. No child was born out of the said wedlock. On account of some matrimonial discord between the parties, the aforesaid FIR was registered against the petitioners.

5. However, with the intervention of well-wishers from both the sides, the parties were able to resolve their disputes in an amicable manner, and accordingly Settlement Agreement dated 09.01.2023 was drawn under the aegis of Delhi Mediation Centre, Tis Hazari Courts. In terms of the settlement, the parties had appeared before the learned Principal Judge, Family Courts, Tis Hazari Courts, on 06.02.2023 in relation to the petition filed under Section 13 B (2) of the Hindu Marriage Act, 1954 seeking divorce by way of mutual consent and the second motion statement was recorded on 16.05.2023.

6. A copy of the Settlement Agreement dated 09.01.2023 has also been placed on record. The Court has gone through the terms of the Settlement Agreement dated 09.01.2023. As per the Settlement Agreement, the respondent No.3 herein has agreed to settle all her disputes against all the alleged accused persons and petitioner no.1 has agreed to give her a total sum of Rs.12,30,000 as full and final settlement towards all her claims of permanent alimony, stridhan, maintenance, past, present and future arising.



Neutral Citation Number 2023:DHC:5897

7. Petitioners and respondent No.3 are present in person, accompanied by their respective counsel. Respondent No.3 has been identified by the Investigating Officer SI Dhananjay Gupta, PS Cyber West and by her counsel.

8. It is informed by both the sides that out of the total amount of Rs.12,30,000/-, a sum of Rs.10 lakhs has already been paid by the petitioner No.1 to respondent No.3. Today, petitioner No.1 has brought and handed over a demand draft amounting to Rs.2,30,000/- (bearing no. 609713, dated 17.07.2023 drawn on UCO Bank). It is also jointly informed by the learned counsel for petitioner no.1 and respondent no.3 that petition seeking maintenance under Section 125 Cr.P.C has also been withdrawn.

9. On a specific query raised by the Court, learned counsel for respondent No.3 informs that whatever cases had been filed by respondent No.3 herein have already been withdrawn including execution petition bearing Ex.No.75/2021 which was pending before Family Court, West District, Tis Hazari Courts, Delhi.

10. This Court has also made queries from both the sides and in particular from respondent no.3 who is present in person along with her father and when asked, she reiterated that the compromise has taken place voluntarily, without any force, pressure or coercion and she has no objection if the present FIR in question is quashed.

11. Learned APP states that in view of the fact that the case relates to matrimonial disputes between the parties and since the parties have



Neutral Citation Number 2023:DHC:5897

reached a settlement through Mediation Centre and have agreed to part ways in a peaceful manner, the State has no objection to the quashing of the FIR.

12. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose will be served by keeping the case pending. Consequently, this present petition is allowed and FIR No. 372/2016, under Sections 498A/406/34 IPC, registered at Police Station Hari Nagar and all proceedings emanating therefrom are quashed.

13. The present petition stands disposed of accordingly.

AUGUST 17, 2023
st

MANOJ JAIN, J

