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

+ **CRL.M.C. 6253/2022**

RAGHAV MURARKA & ORS.

..... Petitioner

Through: Mr. Dharmesh Relan and Mr. Anuj
S., Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr. Prateek Goswami, Adv. for R-2
with R-2 in person.

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Date of Decision: 21st February, 2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petition has been filed under Section 482 Cr. P.C. seeking quashing of FIR No. 246/2021 registered at PS Kirti Nagar under Sections 498A/406/34 IPC.

2. Briefly stated facts of the case are that Respondent No.2/complainant was married to Petitioner No. 1 on 18.01.2020 as per Hindu rites and rituals and remained together with the petitioner till 19.07.2020. However, due to temperamental differences, the marriage could not succeed and a mutual divorce petition was filed. The decree of divorce was granted vide order

dated 05.03.2022 by the learned Additional Principal Judge, Family Court(West),Tis Hazari Courts, Delhi.

3. Respondent No.2/complainant states that during the divorce proceedings, she along with the petitioners has reached into a settlement deed dated 20.02.2022. As per the settlement, her husband/petitioner No.1 had to pay Rs.27,00,000/- towards full and final settlement of the entire dispute and she has already been paid Rs.18,00,000/-. Remaining sum of Rs.9,00,000/- has been received by way of a Demand Draft bearing No.654931 dated 14.02.2023 drawn on Yes Bank Ltd. She has further stated that she has no objection if FIR No. 246/2021 registered at PS Kirti Nagar under Sections 498A/406/34 IPC and all other proceedings emanating therefrom are quashed. She has also stated that she is making the statement voluntarily, without any fear, undue influence or coercion.

4. It has repeatedly been held by Hon'ble the Supreme Court and this court that the courts should encourage the settlement in matrimonial disputes. If the parties have reached on a mutual settlement, the same should accept if it has been arrived voluntarily without any fear, force or coercion.

5. Hon'ble Supreme Court in ***B.S. Joshi v. State of Haryana***, (2003) 4 SCC 675 and this court in ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***; 2019 SCC OnLine Del 8179 have repeatedly held that the court should encourage the settlement of matrimonial dispute through amicable settlement.

6. I have gone through the mediation settlement. This court considers that the parties have entered into an amicable settlement at their own free

will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. There would be no purpose of continuing with the trial.

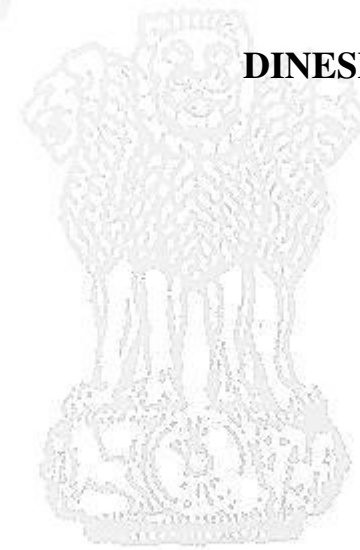
7. In view of the above the case FIR No. 246/2021 registered at PS Kirti Nagar under Sections 498A/406/377/34 IPC and all the proceedings emanating therefrom are quashed.

8. Accordingly, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

FEBRUARY 21, 2023

Pallavi



न्यायमेव जयते