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

+ **W.P.(CRL) 72/2023**

SH. MOHIT MAGGO & ORS.

..... Petitioners

Through: Mr. Alok, Mr. Siddharth Narang, Mr. Shivam and Mr. Mayank Deswal,
Advocates

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Rahul Tyagi, ASC for the State with Ms. Priya Rai, Mr. Sangeet Sibou, Mr. Jatin, Mr. Mathew M. Philip, Ms. Pragati Sharma and Mr. Prawesh Sharma, Advocates and with SI Shankar, P.S Dabri.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

04.04.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been instituted on behalf of the petitioners seeking quashing of FIR bearing no. 199/2018, registered at Police Station Dabri, West District, Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Rahul Tyagi, learned ASC appearing on behalf of the State accepts notice.
3. Petitioners are present before this Court and have been identified by



their counsel Mr. Alok and Investigating Officer (IO) SI Shankar, P.S.: Dabri, West District, Delhi.

4. Brief facts of the case are that on 27.04.2015, petitioner no. 1 and respondent no. 2 had got married at Delhi, according to Hindu rites and ceremonies. It is stated that no child was born out of the said wedlock. It is stated that due to temperamental differences, both the parties started living separately since 04.09.2016. It is stated that on the complaint of respondent no. 2, the present FIR got registered at Police Station Dabri, West District, Delhi. Chargesheet stands filed in this case on 28.04.2018. It is also stated that the petitioners and respondent no. 2 have settled all the disputes and differences before Counselling Cell Family Courts *vide* Settlement dated 26.10.2021.

5. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties before Counselling Cell Family Courts *vide* Settlement dated 26.10.2021.

6. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, *stridhan*, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with petitioner.

7. Today, the complainant, who is present in Court states that she has received all the amounts and has no objection if the FIR is quashed.

8. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful



purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing no. 0175/2021, registered at Police Station Dwarka South, Delhi, for offences punishable under Sections 498A/406/354A/506/34 of IPC and all consequential proceedings emanating therefrom are quashed.

10. The present petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 4, 2024/zp

Click here to check corrigendum, if any