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

+ **CRL.M.C. 390/2024**

ROHIT SHOKEEN & ORS.

..... Petitioners

Through: **Mr. Amit Rana, Adv.**

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: **Mr. Naresh Kumar Chahar, APP for
State with Inspector Asha, P.S.
Kapashera**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

18.01.2024

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CRL.M.A. 1524/2024 (exemption)

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

CRL.M.C. 390/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the petitioners seeking quashing of FIR bearing no. 112/2016, registered at Police Station Nanak Pura, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom.
4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.
5. Petitioners are present before this Court and have been identified by their counsel Mr. Amit Rana and Investigating Officer (IO) Inspector Asha



from Police Station Nanak Pura, Delhi.

6. Brief facts of the case are that the marriage of the petitioner no.1 and respondent no. 2 was solemnized on 29.11.2013 as per Hindu Rites and Ceremony at Delhi. One child was born out of the said wedlock. It is stated that respondent no. 2 started living separately from petitioner no.1 since 05.05.2015. On the complaint of respondent no. 2, the present FIR bearing no. 112/2016, was registered at Police Station Nanank Pura, Delhi for offences punishable under Sections 498A/406/34 of IPC against the petitioners. It is also stated that the entire dispute has been amicably settled between the parties before Delhi Mediation Centre, Patiala House Court, New Delhi vide Settlement Deed dated 05.08.2023.

7. 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 Delhi Mediation Centre, Patiala House Court, New Delhi vide Settlement Deed dated 05.08.2023 and affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court have been filed and the same are on record.

8. 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 no.1 and other family members.

9. Today, the complainant who is present in Court states that she has



received all the amounts due to her and has no objection if the FIR is quashed.

10. 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.

11. Accordingly, FIR bearing no. 112/2016, registered at Police Station Nanak Pura, Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 18, 2024/NS

Click here to check corrigendum, if any