



\$~2

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

+ **CRL.M.C. 453/2024**

AJAY @ AJAY THAKUR & ORS.

..... Petitioners

Through: Mr. Sunil Kumar and Mr. Vikas
Sharma, Advocates.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Satish Kumar, APP for the State
along with SI Ritu and ASI Sushma
Chauhan, P.S. Shalimar Bagh.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

03.04.2024

%

1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 0521/2020 registered at Police Station Shalimar Bagh, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of State.
3. All the petitioners are present before this Court and have been identified by their counsel Mr. Sunil Kumar and Investigating Officer (IO) SI Ritu from Police Station Shalimar Bagh, Delhi.



4. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 28.11.2022 according to Hindu rites and customs at Delhi. One male child was born out of the said wedlock. It is stated that due to certain differences which had arisen between the parties, both the parties started living separately. It is stated that on the complaint of respondent no. 2, the present FIR bearing no. . 0521/2020 was registered at Police Station Shalimar Bagh, Delhi against the petitioners for the offences punishable under Sections 498A/406/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes Memorandum of Understanding dated 07.10.2021.

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 *vide* Memorandum of Understanding dated 07.10.2021 and that they have obtained decree of divorce by mutual consent.

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 petitioners.

7. The petitioner no. 1 had paid a sum of Rs. 2,20,000/- in two instalments in the following manner:

- a. First instalment of Rs. 1,00,000/- paid to respondent no. 2 at the time of recording of statement in First Motion Petition.
- b. Second instalment of Rs. 1,20,000/- paid to respondent no. 2 at the



time of recording of statement in Second Motion Petition.

8. Today, the complainant who is present in Court states that she has no objection if the FIR is quashed.
9. 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.
10. Accordingly, FIR bearing no. 0521/2020 registered at Police Station Shalimar Bagh, Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.
11. The petition stands disposed of.
12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 03, 2024/A

Click here to check corrigendum, if any