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

+ **CRL.M.C. 518/2024**

PARDEEP KUMAR AND ORS

..... Petitioners

Through: Mr Yogesh Sharma, Advocate
through VC along with petitioners.

versus

STATE THROUGH SHO PS DABRI AND ANR Respondents

Through: Mr Raj Kumar, APP for the State
with SI Puran Singh, ASI Rajander,
PS Dabri.

Mr Parmeet Bhardwaj, Advocate for
R-2 through VC along with R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

23.01.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0578/2021 under Sections 498A/406 IPC registered at PS Dabri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Issue notice. The learned APP for the State accepts notice. He submits that in the aforesaid FIR, four persons have been arraigned as an accused, however, one of the accused namely, Shri Suraj Bhan Hooda has expired during the pendency of the proceedings. The said deceased/accused has been arrayed as petitioner no.4 in the present petition. He further submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in



question is quashed.

3. The petitioner no.1 (former husband) and petitioner nos.2 & 3, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Puran Singh, ASI Rajander, PS Dabri.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 10.11.2019 according to Hindu Rites and Customs. No child was born out of the said wedlock.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 30.05.2020. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Settlement/Understanding for Dissolution of Marriage dated 03.11.2023, which is annexed as Annexure-B to the present petition.

7. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have filed a petition for divorce by mutual consent and the first motion was allowed *vide* judgment dated 23.11.2023, which is annexed as Annexure-D to the present petition.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.5 lakhs to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc.

9. The entire settlement amount of Rs.5 lakhs had already been paid by



the petitioner no.1 to the respondent no.2.

10. The receipt of entire amount of Rs.5 lakhs is acknowledged by the respondent no.2, who is appears through video conferencing.

11. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

12. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

14. Consequently, the petition is allowed and the FIR No.0578/2021 under Sections 498A/406 IPC registered at PS Dabri alongwith all other proceedings emanating therefrom, is quashed.

15. The petition stands disposed of in the above terms.

16. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 23, 2024

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