



\$~51

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

+ **CRL.M.C. 588/2024**

RAHUL ALIAS RAHUL MATHUR AND ORS Petitioners

Through: **Mr. Shekhar & Ms. Preeti Kumari,**
Advocates.

versus

THE STATE NCT OF DELHI AND ANR. Respondents

Through: **Mr. Naresh Kumar Chahar, APP for**
the State with SI Sudhir Rathi, P.S.:
Burari.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **24.01.2024**

CRL.M.A. 2396/2024 (exemption)

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

CRL.M.C. 588/2024

3. The present petitioner under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been instituted on behalf of the petitioner seeking quashing of FIR bearing No. 0209/2021, registered at Police Station Burari, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.
5. All the petitioners are present before this Court and have been identified by their counsel Mr. Shekhar and Investigating Officer (IO) SI



Sudhir Rathi from Police Station Burari, Delhi.

6. Brief facts of the case as per the petition are, that petitioner no. 1 and respondent no. 2 got married on 08.03.2019 as per Hindu rites and customs. Since 2020, petitioner no. 1 and respondent no. 2 started living separately. On 01.04.2021, the above-said FIR got registered against the petitioners. On 09.08.2023, the petitioner no. 1 got settled all the matrimonial disputes with respondent no. 2 *vide* Memorandum of Understanding dated 09.08.2023. The said MoU was executed by petitioner no. 1 and respondent no. 2 whereby a total sum of Rs. 4,00,000 was to be paid by petitioner no. 1 to respondent no. 2. On 08.11.2023, respondent no. 2 had withdrawn domestic violence complaint case bearing no. Ct./6862/2020. It is stated that divorce was granted to the petitioners on 09.11.2023. Hence, the present petition was instituted.

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 *vide* MoU dated 09.08.2023 entered into between them.

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 Rs.1,50,000/- today, i.e., 24.01.2024 *vide* DD No. 830246 drawn on State Bank of India 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 no0209/2021, registered at Police Station Burari, 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 24, 2024/at

[Click here to check corrigendum, if any](#)