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

+ **CRL.M.C. 688/2024**

SANJEET MALIK & ORS.

..... Petitioners

Through: Mr. Neeraj Jakhar, Mr. Vikram Singh
Jakhar, Mr. Nihar Dagar, Advocates
with petitioners in-person.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Amit, P.S.: Ranhola.
SI Jasbir Singh, P.S.; Kapashera.
Mr. Shivam Yadav, Advocate for R-2
with R-2 in-person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

30.01.2024

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CRL.M.A. 2802/2024 (exemption)

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

CRL.M.C. 688/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioners praying for quashing of FIR bearing No. 0449/2020 registered at Police Station Kapashera, Delhi, for offences punishable under Sections 498A/406/506(ii)/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Learned APP appearing on behalf of the State accepts



notice.

5. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized as per Hindu rites and ceremonies in Delhi, on 28.02.2019. On 02.10.2019, respondent no. 2 left the residence of petitioner no. 1 and both started living separately from each other. On 30.09.2020, respondent no. 2 filed a complaint against the petitioners before CAW Cell, Dwarka, pursuant to which the said FIR was lodged. Charge-sheet has been filed and the same is pending trial before the Court of learned Metropolitan Magistrate, Mahila Court, Dwarka Courts, New Delhi. On 25.09.2020, respondent no. 2 filed a domestic violence case under Section 12 of the Protection of Women from Domestic Violence Act, 2005 ('PWDA'), and the same was withdrawn on 18.12.2023. It is stated that during the trial of domestic violence case, on the request of petitioners, both the parties have settled their dispute mutually and amicable in terms of settlement arrived at between the parties before the Mediation Centre, Dwarka Courts, New Delhi. It is stated that both the parties have settled all their claims, including permanent alimony of Rs. 25,00,000, as full and final settlement to be paid by the petitioner to respondent no. 2. It is stated that respondent no. 2 has received the settled amount from the petitioner no.1, hence the present writ petition is instituted.

6. Petitioners are present before this Court and have been identified by their counsel Mr. Neeraj Jakhar and Investigating Officer (IO) SI Jasbir Singh from Police Station Kapashera, Delhi.

7. On the 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/compromised between the parties vide Settlement Deed dated 27.09.2023 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. 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. 0449/2020 registered at Police Station Kapashera, Delhi, for offences punishable under Sections 498A/406/506(ii)/34 of the 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

JANUARY 30, 2024/at

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