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

+ **CRL.M.C. 697/2024**

SH SHUBHAM SINGHAL AND ORS.

..... Petitioners

Through: Mr Yogesh Goel and Mr Yesh Pal
Saini, Advocates along with
petitioners in person.

versus

**THE STATE GOVT. OF NCT OF DELHI
& ANR.**

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Munish Kumar, PS North
Rohini.
Mr Inderjeet, Advocate along with
respondent no.2 in person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
30.01.2024

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CRL.M.A. 2819/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 697/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0106/2021 under Sections 323/341/354/354(B)/506/380/34 IPC registered at Police Station North Rohini, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. Issue notice. The learned APP for the State accepts notice. He 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.

4. The petitioner no.1 (former husband) and petitioner nos.2 to 4, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court whereas petitioner no.5 appears through video conferencing. The parties have been identified by their respective counsel, as well as, by the Investigating Officer SI Munish Kumar, PS North Rohini.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 19.07.2018 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Prishu was born, who is in the care and custody of the petitioner no.1.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 11.01.2021. The dispute between the parties also led to the registration of present FIR at the instance of the respondent no.2.

7. During the pendency of the proceedings, the parties were referred to the Delhi Mediation Centre, Rohini District Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 22.07.2023, a copy of which is annexed as Annexure-P2 to the present petition.

8. In terms of the said settlement, the petitioner no.1 and respondent no.2 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 obtained a decree of divorce dated 10.10.2023, a copy of which is annexed as Annexure-P4 to the present petition.

9. It is a term of the settlement between the parties that the petitioner



no.1 shall pay a total sum of Rs.42 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. Out of the said amount, a sum of Rs.26 lakhs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.16 lakhs have been paid to the respondent no.2 today in the court by the petitioner no.1 by way of two Demand Drafts. The details of which are as under:-

- (i) DD No.731430 dated 15.01.2024 for a sum of Rs. 9,50,000/- issued by Punjab National Bank.
- (ii) DD No.035964 dated 15.01.2024 for a sum of Rs.6,50,000/- issued by AXIS Bank.

10. The receipt of entire amount of Rs.42 lakhs is acknowledged by the respondent no.2, who is present in court.

11. The petition is also supported by an affidavit of the petitioner no.1 (former husband), as well as, the respondent no.2 (former wife) wherein it has been stated that the rights of the child will not be affected by the settlement arrived at between them.

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

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.0106/2021



under Sections 323/341/354/354(B)/506/380/34 IPC registered at Police Station North Rohini, Delhi alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.
17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 30, 2024
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