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

+ **CRL.M.C. 701/2024**

SHEKHAR JAIN AND ANR

..... Petitioners

Through: Mr Shivam Singh, Advocate along
with petitioners in person.

versus

THE STATE AND ANR

..... Respondents

Through: Mr Raj Kumar, APP for the State
with ASI Ashok Kumar, PS Anand
Parbat.
Mr Aditya Yadav and Mr Pardeep
Kumar, Advocates for R-2 along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **30.01.2024**

CRL.M.A. 2830/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 701/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0434/2015 under Sections 498A/406/34 IPC registered at Police Station Anand Parbat, 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 no.2, (mother 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 ASI Ashok Kumar, PS Anand Parbat.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 26.09.2014 according to Hindu Rites and Customs. No child was born out of the said wedlock.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 31.03.2015. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties arrived at a settlement and decided to dissolve their marriage by obtaining a decree of divorce by mutual consent. Accordingly, the petitioner no.1 and the respondent no.2 filed a petition for dissolution of their marriage in accordance with law. The terms of settlement have been mentioned in the joint statement dated 14.08.2023 recorded by the learned Family Court, North-West District, Rohini, Delhi in HMA No.2139/2023.

8. As per the agreed terms, the petitioner no.1 has to pay a full and final settlement amount of Rs.5 lakhs towards all claims of the respondent no.2 on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a sum of Rs. 3 lakhs have 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.2 lakhs has been paid to the respondent no.2 today in the Court by the petitioner



no.1 by way of Demand Draft bearing No.001067 dated 12.01.2024 issued by Equitas Small Finance Bank.

9. The receipt of entire amount of Rs.5 lakhs is acknowledged by the respondent no.2, who is present in court.

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

11. 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.

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

13. Consequently, the petition is allowed and the FIR No.0434/2015 under Sections 498A/406/34 IPC registered at Police Station Anand Parbat, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 30, 2024
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