



\$~5

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

+ **CRL.M.C. 812/2024**

JITIN KUMAR VATS ALIAS JITIN VATS AND ORS.... Petitioners

Through: Mr. S.S. Sharma, Advocate alongwith
petitioner nos. 1,2,4 in person and
petitioner nos. 3 and 5 (appeared
through VC)

versus

STATE NCT OF DELHI AND ANR. Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State along with Mr. Karan
Khurana, Mr. Hari Shankar Sharma,
Advocates, SI Ram Niwas, P.S.
Uttam Nagar and SI Dhyanendra, P.S.
Dabri

Mr. Satya Parkash, Advocate for R-2
alongwith R-2 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

27.05.2024

%

1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 784/2021, registered at Police Station Dabri, New Delhi for the offences punishable under Sections 498A/406/354B/377/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.

2. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.

3. Petitioners are present before this Court and have been identified by their counsel Mr. S.S. Sharma and Investigating Officer (IO) SI Dhyanendra



from Police Station Dabri, New Delhi.

4. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 21.11.2019 as per Hindu rites and ceremonies. It is stated that no child was born out of said wedlock. It is stated that respondent no. 2 had made a complaint before Crime Against Women Cell, at Police Station Dwarka, Sector-9, Delhi pursuant to which, the present FIR bearing no. 784/2021 was registered at Police Station Dabri, Delhi against the petitioners for offences punishable under Sections 498A/406/354B/377/34 of IPC. It is stated that during the pendency of the case, both the parties had arrived at settlement before Mediation Cell, Dwarka Court, New Delhi *vide* Compromise Deed dated 20.07.2023. Thereafter, both the parties had dissolved their marriage by way of mutual consent before the learned Judge, Family Court-01, South-West District, Dwarka Courts, Delhi on 08.11.2023.

5. 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* Compromise Deed dated 20.07.2023.

6. 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.

7. As per the settlement agreement, the petitioner no. 1 had to pay a sum of Rs. 13,75,000/- in the following manner:



- a. First installment of Rs. 4,50,000/- paid to respondent no. 2 time of recording statements in the first motion petition u/s 13B(1) of HMA.
- b. Second installment of Rs. 4,50,000/- paid to respondent no. 2 at the time of recording statements in the second motion petition u/s 13B(2) of HMA
- c. Third /Final instalment of Rs. 4,75,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

8. Today, the complainant who is present in Court states that she has received the last and final installment of Rs. 4,75,000/- today, i.e., 27.05.2024 *vide* DD No. 55016 drawn on Connaught Place, New Delhi and has no objection, if the FIR is quashed.

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. 784/2021, registered at Police Station Dabri, New Delhi for the offences punishable under Sections 498A/406/354B/ 377/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. In view of above, the petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 27, 2024/ns

Click here to check corrigendum, if any