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

+ **CRL.M.C. 999/2024**

PAWAN KUMAR AND ORS.

..... Petitioners

Through: Mr. Paramveer Singh and Mr.
Yashvir Kumar, Advs. with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr Raghvinder Varma, APP for the
State with SI Lalbahadur PS Mohan
Garden with respondent no. 2 in
person.

Mr. Lavkesh Agnihotri and Mr.
Gaurav Yadav, Advs. for complainant

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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08.02.2024

CRL.M.A. 4009/2024 (exemption)

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

CRL.M.C. 999/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.744/2020 under Sections 498A/406/34 IPC registered at Police Station Baba Haridas Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. 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.

5. The petitioner no.1 (former husband), petitioners no. 2 and 3, who are close relatives of 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 SI Lalbahadur PS Mohan Garden.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 05.05.2011 according to Hindu Rites and Customs. Out of the said wedlock, one girl child namely, Baby Harshita was born on 28.03.2012 and one male child namely, Master Aayan was born on 11.04.2014, who are in the care and custody of the petitioner no. 1.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 15.01.2019. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Mediation Center, Dwarka Courts, New Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 05.12.2023, which is annexed as Annexure P2 to the present petition.

9. In terms of the said settlement, the parties 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 12.01.2024, which is annexed as Annexure P3 to the present petition.

10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.20,00,000/- 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. 14,00,000/- 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.6,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.871796 dated 02.02.2024 issued by State Bank of India, Najafgarh.

11. The receipt of entire amount of Rs.20,00,000/- is acknowledged by the respondent no.2, who is present in court.

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.744/2020 under Sections 498A/406/34 IPC registered at Police Station Baba Haridas Nagar 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

FEBRUARY 8, 2024/N.S. ASWAL