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

+ **CRL.M.C. 1112/2024**

SH. RAJAT KUMAR GUPTA AND ORS

.....Petitioners

Through: Mr. R.S. Rai, Advocate with
petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) AND ANRRespondents

Through: Mr. Amit Ahlawat, APP for the State
with S.I. Naveen Kumar, P.S. Keshav
Pur.
Mr. R.D. Vats, Mr. Tavish Vats and
Mr. Arun Vats, Advocates for R2
with R2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.07.2024

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1. The Joint Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners, seeking to quash the FIR No. 0060/2019, under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) dated 10.02.2019, registered at Police Station Keshav Puram, North West District, Delhi.
2. Issue notice.
3. Mr. Amit Ahlawat, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. Brief facts of the case are that the marriage was solemnized between



petitioner No. 1 and respondent No. 2 on 04.03.2017, according to Hindu rites and ceremonies and one female child was born out of the said wedlock.

5. It is further submitted that on 21.04.2018, on the complaint of respondent No. 2, an FIR bearing No. 0060/2019 under Sections 498A/406/34 of the IPC, 1860, got registered at Police Station Keshav Puram (North West District), Delhi.

6. It is stated that the petitioner No. 1 and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Deed dated 06.01.2023 wherein it was *inter alia* settled between the parties that the husband shall pay to the wife a sum of Rs. Nil as full and final settlement (against stridhan and dowry, maintenance toward past, present and future qua this marriage) in three instalments by the way of DD/pay Order. It is further agreed that the first motion shall be filed on before one week and second motion shall be filed soon after the completion of the statutory period of the order under Section 13 (B) (1) of HMA. It is further agreed that out of the settle amount the husband will pay Rs.NIL to the wife at the time of recording of the same statement of first motion by way of DD/Pay Order. It is further agreed that the husband will pay/handover Rs. NIL to wife at the time of recording of the statement of second motion by way of DD/Pay Order.

7. It is also stated that on 02.08.2023, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

8. In view of the Settlement Deed dated 06.01.2023, the present petition has been filed.

9. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.



10. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 06.01.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 06.01.2023 and they also submit that the said Settlement Deed dated 06.01.2023 has been arrived at between the parties without any pressure and coercion.

12. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has no objection if the FIR is quashed.

13. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

14. Moreover, there is no legal impediment in quashing the FIR in question.

15. Accordingly, the FIR bearing No. 0060/2019 under Sections 498A/406/34 of the IPC, 1860, got registered at Police Station Keshav Puram (North West District), Delhi and all consequential proceedings emanating therefrom are quashed.

16. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 9, 2024/RS