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

+ **CRL.M.C. 1236/2024**

SHIVAM GUPTA AND ORS.

..... Petitioners

Through: Mr Ajay Kumar, Advocate along with
petitioners in person.

versus

THE STATE AND ANR.

..... Respondents

Through: Mr Raghvinder Varma, APP for the
State with SI Lal Chand, PS Vasant
Kunj South.

Mr Dhruv Chawla and Mr Vipul
Saini, Advocates for R-2 along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

22.03.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0349/2022 under Sections 498A/406/34 IPC registered at Police Station Vasant Kunj (South), Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. 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 and they have been identified by their respective counsel and by the Investigating Officer SI Lal Chand, PS Vasant Kunj South.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 14.06.2020 according to Hindu Rites and Customs. No child was born out of the said wedlock.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 02.07.201. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 11.01.2024, which is annexed as Annexure P-2 to the present petition.

7. 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, they have taken steps for the dissolution of their marriage and first motion petition has already been allowed and disposed of *vide* order dated 30.01.2024. However, the second motion petition will be filed as soon as possible or after the completion of statutory period.

8. It is a term of the settlement between the parties that the petitioner no.1 has to pay a total sum of Rs.12,99,000/- 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. The entire amount of Rs.12,99,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement.



9. The receipt of entire amount of Rs.12,99,000/- 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.0349/2022 under Sections 498A/406/34 IPC registered at Police Station Vasant Kunj (South), 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

MARCH 22, 2024
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