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

+ **W.P.(CRL) 586/2024**

PAWAN AND ORS

..... Petitioner

Through: Mr. Arjun Singh, Mr. Anurag Ambawata, Mr. Harbir Chaudhary and Mr. Dheeraj Nischal, Advs. with petitioners in person

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Sanjay Lao, SC for State with SI Divya PS Sonia Vihar
Mr. Rajesh Kumar Singh, Adv. for R2 with R2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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19.02.2024

CRL.M.A. 5378/2024 (exemption)

2. Allowed, subject to all just exceptions.

3. Application stands disposed of.

W.P.(CRL) 586/2024

4. The present petition has been filed under Article 226 of Constitution of India read with Section 482 CrPC seeking quashing of FIR No.174/2015 under Sections 498A/406/34 IPC registered at Police Station Sonia Vihar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.



5. Issue notice. The learned SC 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.
6. The petitioner no.1 (former husband), 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 with SI Divya PS Sonia Vihar.
7. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 17.02.2014 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.
8. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 14.09.2014. The dispute between the parties also led to the registration of present FIR.
9. During the pendency of the proceedings, the parties were referred to Counselling Cell attached to the Family Court, North East District, Vishwas Nagar, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement report dated 25.10.2016, which is annexed as Annexure P2 to the present petition.
10. Attention of the Court is also drawn to the judgment dated 01.11.2017 whereby the second motion petition was allowed. It is recorded in the said judgment that the petitioner no. 1 shall pay a total sum of Rs.2,75,000/- 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 said amount already stands paid, the receipt of entire amount of Rs.2,75,000/- is acknowledged by the respondent



no.2, who is present in court.

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

12. 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.

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

14. Consequently, the petition is allowed and the FIR No.174/2015 under Sections 498A/406/34 IPC registered at Police Station Sonia Vihar alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

FEBRUARY 19, 2024

N.S. ASWAL