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

+ **CRL.M.C. 1390/2024**

MUKESH KUMAR & ANR.

..... Petitioners

Through: Mr. Rajesh Tiwari, Advocate

versus

THE STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Vineet Kumar, P.S. Neb
Sarai.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

05.04.2024

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CRL.M.A. 5497/2024 (exemption)

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

CRL.M.C. 1390/2024

3. The present under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioners seeking quashing of FIR bearing No. 0612/2022, registered at Police Station Neb Sarai, Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC'), and all proceedings emanating therefrom.
4. Issue notice. Mr. Satish Kumar, learned APP appearing on behalf of the State accepts notice.
5. All the petitioners are present before this Court, who have been



identified by their counsel Mr. Rajesh Tiwari and Investigating Officer, Police Station Neb Sarai, Delhi.

6. Brief facts of the case, as per the petition are, that the marriage between the petitioner no. 1 and respondent no. 2 was solemnized on 10.02.2021, according to Hindu rites and customs. It is stated that no child was born out of the said wedlock. It is stated that on the complaint of respondent no. 2, the said FIR got registered against the petitioners, at Police Station Neb Sarai, Delhi. It is stated that both the parties have amicably settled all their disputes and differences before Counselling Cell, Family Courts, Saket Court, New Delhi *vide* Settlement dated 17.02.2023. It is also stated that it was agreed between the parties that the petitioner no. 1 shall pay Rs. 2,00,000 (Rupees Two Lakhs Thousand Only) and shall return the articles. It is further stated that the marriage between the petitioner no. 1 and respondent no. 2 has been dissolved by way of mutual consent. It is stated that Rs. 2,00,000 (Rupees Two Lakhs Only) has been paid to the complainant and the remaining amount is to be paid at the time of quashing of the said FIR. Hence, the present petition has been instituted for quashing of FIR.

7. 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 before Counselling Cell, Family Courts, Saket Court, New Delhi *vide* Settlement dated 17.02.2023.

8. 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.

9. Today, the complainant who is present in Court states that she has received the last and final instalment of Rs. 50,000/- today, i.e., 05.04.2024 *vide* DD No. 339595 drawn on Canara Bank and has no objection if the FIR is quashed.

10. 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.

11. Accordingly, FIR bearing No. 0612/2022, registered at Police Station Neb Sarai, Delhi, for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 5, 2024/zp

Click here to check corrigendum, if any