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

+ CRL.M.C. 1618/2024

AJAY SINGH & ORS.

..... Petitioners

Through: Mr. Nitin Mittal and Mr. Kailash
Rana, Advs. with petitioners in person

versus

STATE & ANR.

..... Respondents

Through: Mr. Raj Kumar, APP for State with SI
Neeti PS Jahangirpuri
Mr. Sursimran Singh Sodhi, Adv. for
R2 with R2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

27.02.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.122/2018 under Sections 406/498A/506/34 IPC registered at Police Station Jahangirpuri, New 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 the petitioner nos. 2 - 6, who are close relatives of petitioner no. 1, as well as, the respondent no. 2 (former wife) are present in the Court. The parties have been identified by



their respective counsel and by the Investigating Officer SI Neeti PS Jahangirpuri.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no.2 was solemnized on 20.04.2016 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Aisha was born, who is presently in the care and custody of respondent no. 2.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 20.03.2017. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Rohini District Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 07.12.2023, which is annexed as Annexure P3 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, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 15.02.2024, which is annexed as Annexure P4 to the present petition.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.25,50,000/- 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. 18,00,000/- 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 7,50,000/- has been paid to the



respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.923739 dated 13.02.2024 issued by State Bank of India.

9. Additionally, in terms of the settlement, the petitioner no. 1 has deposited an amount of Rs. 52,345/- in the *Sukanya Yojana* for the girl child and the original passbook of the said deposit has been handed over to the respondent no. 2 in Court.

10. The receipt of entire amount of Rs.25,50,000/- 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.122/2018 under Sections 406/498A/506/34 IPC registered at Police Station Jahangirpuri, New Delhi 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 27, 2024/N.S. ASWAL