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

+ **CRL.M.C. 1629/2024**

SIDHARRTH KAPUR & ORS.

..... Petitioners

Through: Mr. Tarun Gautam, Advocate
alongwith petitioners in person

versus

STATE AND ANR.

..... Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Rahul Kumar, P.S.
Vivek Vihar, Delhi

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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27.02.2024

CRL.M.A. 6302/2024 (exemption)

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

CRL.M.C. 1629/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 499/2018, registered at Police Station Vivek Vihar, Delhi for the offence punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.
5. Petitioners are present before this Court and have been identified by



their counsel Mr. Tarun Gautam and Investigating Officer (IO) SI Rahul Kumar from Police Station Vivek Vihar, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 11.02.2016 according to Hindu rites and customs. One male child was born out of the said wedlock. It is stated that due to dispute and temperamental issues which had arisen between the parties, both the parties started living separately from each other since May, 2017. On the complaint of respondent no. 2, the present FIR bearing no. 499/2018 was registered at Police Station Vivek Vihar, Delhi against the petitioners for offences punishable under Sections 498A/406/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes before Delhi Mediation Centre, Karkardooma Courts, Delhi *vide* Compromise Deed dated 14.09.2023.

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 Delhi Mediation Centre, Karkardooma Courts, Delhi *vide* Compromise Deed dated 14.09.2023 and affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava***, (2020) 20 SCC 787 passed by the Hon'ble Supreme Court have been filed and the same are on record.

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. The petitioner no. 1 had paid a sum of Rs. 12,50,000/- in three installments in the following manner:

- a. First installment of Rs. 5,00,000/- paid to respondent no. 2 in the first motion petition.
- b. Second installment of Rs. 5,00,000/- paid to respondent no. 2 at the time of second motion petition.
- c. Third/Final instalment of Rs. 2,50,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

10. Today, the complainant who is present in Court states that she has received the last and final instalment of Rs. 2,50,000/- today, i.e., 27.02.2024 by way of Multi Benefit Dep-Maturity issued on 16.02.2024 in the name of minor child and has no objection if the FIR is quashed.

11. 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.

12. Accordingly, FIR bearing no. 499/2018, registered at Police Station Vivek Vihar, Delhi for the offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

13. In view of above, the present petition stands disposed of.

14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 27, 2024/ns

[Click here to check corrigendum, if any](#)