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

+ **CRL.M.C. 1679/2024**

MOHIT @ MOHIT ROHILLA AND OTHERS Petitioners

Through: Mr. S.K. Sharma, Adv. for all
petitioner nos. 3 – 5 in person

versus

THE STATE AND ANOTHER Respondents

Through: Mr. Raj Kumar, APP for State with SI
Akash Kumar PS Bhajanpura
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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28.02.2024

CRL.M.A. 6440/2024 (exemption)

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

CRL.M.C. 1679/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0321/2021 under Sections 498A/406/34 IPC and Sections 3/4 of Dowry Prohibition Act registered at Police Station Bhajanpura, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. 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.

5. The petitioner no. 1 (husband), petitioner nos. 3 – 5, who are close relatives of petitioner no. 1, as well as, respondent no. 2 (wife) are present in the Court. They have been identified by learned counsel for the petitioner and by the Investigating Officer SI Akash Kumar PS Bhajanpura. The petitioner no. 2 is not present because of his old age and his exemption from personal appearance is allowed.

6. The brief facts of the case are that the marriage between the petitioner and respondent no. 2 was solemnized on 23.11.2019 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 07.01.2020. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 21.02.2024, which is annexed as Annexure P2 to the present petition.

9. It has been mentioned in the settlement that the parties have arrived at settlement with the assistance of their respective families and friends. It is also recorded in the settlement that the petitioner no. 1 and respondent no. 2 are now living together peacefully.

10. It is also a term of the settlement that the respondent no. 2 shall cooperate in quashing of the aforesaid FIR.

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. Considering the fact that the parties have arrived at a settlement and



have started staying together, 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.0321/2021 under Sections 498A/406/34 IPC and Sections 3/4 of Dowry Prohibition Act registered at Police Station Bhajanpura, 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 28, 2024

N.S. ASWAL