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

+ **W.P.(CRL) 699/2024**

BHUSHAN GUPTA AND ORS

..... Petitioners

Through: Mr. Murari Tiwari, Mr. Rahul Kumar,
Ms. Payal Dhupar, Mr. Nishit Kumar
and Ms. Madhu Tiwari, Advs. with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Sanjay Lao, SC for State with SI
Shivali PS Keshav Puram
Ms. Roma Bhagat, Mr. Rohan
Sharma, Ms. Ruchika Sharma, Advs.
for R2 with R2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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03.04.2024

CRL.M.A. 6527/2024 (exemption)

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

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3. The present petition has been filed under Article 226 of Constitution of India read with Section 482 CrPC seeking quashing of FIR No.567/2020 under Sections 498A/406/34 IPC registered at Police Station Keshav Puram, 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. 2, 3 and 4, who are close relatives of petitioner no. 1, as well as, respondent no. 2 (wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Shivali PS Keshav Puram.
6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 22.06.2018 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely, Yuvansh was born, who is in the care and custody of respondent no. 2.
7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 21.09.2019. 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 memorandum of understanding dated 05.12.2023, which is annexed as Annexure B to the present petition.
9. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent.
10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.48 Lakhs 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. 17.50 Lakhs was paid at the time of recording



of statement at the first motion stage. Further amount of Rs. 15 Lakhs has been paid today by way of Demand Draft bearing No.023561 dated 28.02.2024 issued by HDFC Bank, Kirti Nagar Central Market, New Delhi - 110015. Remaining amount of Rs. 15.50 Lakhs is payable at the time of recording of statement at the second motion stage.

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.567/2020 under Sections 498A/406/34 IPC registered at Police Station Keshav Puram, 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

APRIL 3, 2024

N.S. ASWAL