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

+ **CRL.M.C. 1768/2024**

MR ANSH MITTAL & ORS.

..... Petitioners

Through: Mr. Pankaj Arya & Ms. Anjana Gupta, Advocates along with petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Naresh Kumar Chahar, APP for the State with SI Richa & SI Ajay, P.S. Samaypur Badli, Delhi.
Mr. Deepak Choudhary, Ms. Sakshi, Advocates for R-2 along with respondent R-2 in person.

**CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA**

**ORDER
01.03.2024**

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CRL.M.A. 6775/2024 (exemption)

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

CRL.M.C. 1768/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) has been filed by the six petitioners praying for



quashing of FIR bearing No.810/2022 registered at Police Station Samaipur Badli, Delhi for offences punishable under Sections 323/354(B)/451/34 of the Indian Penal Code, 1860 (IPC).

4. Notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.

5. Briefly stated the facts of the case are that the petitioner no.1 got married to respondent no.2 on 27.01.2019 according to Hindu rites and ceremonies. However, due to temperamental differences between the parties the marriage had broken down irretrievably and there was no chance of revival of the same. The petitioner no.1 and respondent no.2 were living separately from each other since 26.02.2022. Because of disputes and differences between the parties both the parties entered into various litigations and the present FIR is also result of the same.

6. All the petitioners are present before this Court and have been identified by their counsel Mr. Pankaj Arya and Investigating Officer (IO) SI Richa & SI Ajay from Police Station Samaypur Badli, Delhi.

7. On the 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 vide Settlement dated 12.04.2023 entered into between them.

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.15,00,000/- in four installments in the following manner:

a. First installment of Rs.5 Lakhs has been paid to respondent no. 2 at the time of first motion petition.

d. Second installment of Rs.5 Lakhs has been paid to respondent no. 2 at the time of second motion petition.

e. Third instalment of Rs.2,50,000/- to be paid at the time of quashing of the present FIR before this court.

f. Fourth instalment of Rs.2,50,000/- is to be paid at the time of quashing of FIR bearing No.881/2022 registered at P.S. Samaipur Badli, Delhi under Sections 498A/406/34 of Indian Penal Code, 1860 ('IPC').

10. Today, the complainant who is present in Court states that she has received the third instalment of Rs.2,50,000/- today, i.e., 01.03.2024 vide DD No.089320 drawn on HDFC Bank, Pitampura Community Centre, New Delhi 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.810/2022 registered at Police Station Samaipur Badli, Delhi for offences punishable under Sections 323/354(B)/451/34 of the IPC and all consequential proceedings emanating therefrom are quashed.



13. The petition stands disposed of along with pending applications, if any.
14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 1, 2024/hs

Click here to check corrigendum, if any