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

+ **CRL.M.C. 1834/2024**

PRAVEEN KUMAR & ORS.

..... Petitioners

Through: Mr Prateek Prabhakar and Ms
Muskan Sharma, Advocates along
with petitioner in person.

versus

THE STATE THROUGH SHO AND ANR.

..... Respondent

Through: Mr Raghvinder Varma, APP for the
State with Insp. Dinesh Chandra, PS
Khajuri Khas.
Mr Nikhil Saini, Advocate for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

04.03.2024

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CRL.M.A. 6997/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 1834/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0636/2015 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Khajuri Khas and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. 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.

4. The petitioner no.1 (husband), and petitioner nos.2 and 3, who are close relatives of the 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 Insp. Dinesh Chandra, PS Khajuri Khas.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 30.01.2013 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely, Yaksh was born.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 23.02.2015. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties were referred to Counselling Cell, North East District, Karkardooma, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 02.11.2023, which is annexed as Annexure-P/3 to the present petition.

8. In terms of the said settlement, the parties decided to reside together as husband and wife. The petitioner no.1 and the respondent no.2, who are present in Court affirm that now they are residing together.

9. It is a term of the settlement between the parties that the petitioner no.2 (mother of the petitioner no.1) will execute a gift deed for a plot measuring 100 yards at village Kareda, Mohan Nagar, Ghaziabad equally in favour of the petitioner no.1 and in favour of the respondent no.2. The



parties also undertake to construct and build a house in the above said plot within a period of one year and till the completion of construction of the said plot, the petitioner no.1 shall pay a sum of Rs.10,000/- per month as maintenance for the respondent no.2 and their minor child. It is also a term of settlement that the petitioner no.1 and respondent no.2 along with their child shall reside in that newly constructed plot thereafter.

10. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

11. 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.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No.0636/2015 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Khajuri Khas alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MARCH 4, 2024

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