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

+ **CRL.M.C. 1915/2024**

RAHUL MATTA & ORS. Petitioners

Through: Mr. Ritesh Khatri, Advocate

versus

GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Satish Kumar, APP for the State
with W/PSI Akanksha Chhillar, P.S.
Adarsh Nagar.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

07.03.2024

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CRL.M.A. 7341/2024 (exemption)

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

CRL.M.C. 1915/2024

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. 314/2019, registered at Police Station Adarsh Nagar, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of State.



5. All the petitioners are present before this Court and have been identified by their counsel Mr. Ritesh Khatri and Investigating Officer (IO) W/PSI Akanksha Chhillar from Police Station Adarsh Nagar, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 18.04.2017 according to Hindu rites and ceremonies at New Delhi. No child was born out of the said wedlock. It is stated that due to certain differences which had arisen between the parties, both the parties started living separately since 06.12.2017. It is stated that on the complaint of respondent no. 2, the present FIR bearing no. 314/2019 was registered at Police Station Adarsh Nagar, Delhi against the petitioner for the 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 High Court Mediation and Conciliation Centre *vide* Settlement Agreement dated 20.10.2023.

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 High Court Mediation and Conciliation Centre *vide* Settlement Agreement dated 20.10.2023 and that they have obtained decree of divorce by mutual consent.

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.

9. The petitioner no. 1 had paid a sum of Rs. 30,00,000/- in two



installments in the following manner:

- a. First installment of Rs. 20,00,000/- plus one admitted jewellery set (consisting of one necklace and a pair of ear-rings) paid to respondent no. 2 on the date of final judgment and order in MAT.APP (F.C) 67/2023.
- b. Second/Final instalment of Rs. 10,00,000/- 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. 10,00,000/- today, i.e., 07.03.2024 *vide* DD No. 502264 drawn on ICICI Bank 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. 314/2019, registered at Police Station Adarsh Nagar, Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

13. The petition stands disposed of.

14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 7, 2024/zp

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