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

+ **W.P.(CRL) 805/2024**

SH BHARAT BHUSHAN & ORS. Petitioners

Through: **Mr. Sunil Choudhary, Advocate.**

versus

**THE STATE NCT OF DELHI THROUGH SHO POLICE STATION
HAUZ QAZI & ANR.** Respondents

Through: **Ms. Nandita Rao, ASC for the State
with SI Omkant Yadav, P.S.: Hauz
Qazi, Delhi.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

11.03.2024

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1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking quashing of FIR bearing no. 0122/2022, registered at Police Station Hauz Qazi, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Ms. Nandita Rao, learned ASC accepts notice on behalf of State.
3. The petitioners are present before this Court and has been identified by his counsel and Investigating Officer (IO) SI Omkant Yadav, P.S.: Hauz Qazi.
4. Brief facts of the present case are that the marriage between petitioner and respondent no. 2 was solemnized on 04.06.2019 according to Hindu



rites and ceremonies at Meerut, Uttar Pradesh. 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 12.12.2020. It is stated that on the complaint of respondent no. 2, the present FIR was registered at Police Station Hauz Qazi, Delhi against the petitioners 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 *vide* Memorandum of Understanding dated 03.04.2023 and have agreed to dissolve their marriage by mutual consent, decree of which was passed on 11.01.2024.

5. 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 *vide* Memorandum of Understanding dated 03.04.2023 and that they have obtained decree of divorce by mutual consent on 11.01.2024.

6. 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.

7. It is stated that petitioner had paid a sum of Rs. 5,00,000 and the remaining amount of Rs. 2,00,000 is to be paid to respondent no. 2 at the time of the quashing of subject FIR.

8. Today, the complainant who is present in Court states that she has received the remaining amount of Rs. 2,00,000/- today, i.e., 11.03.2024 *vide*



DD No. 004268 drawn on HDFC Bank, and has no objection if the FIR is quashed.

9. 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.

10. Accordingly, FIR bearing no. 0122/2022, registered at Police Station Hauz Qazi, Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. The petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 11, 2024/at

Click here to check corrigendum, if any