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

+ **CRL.M.C. 2120/2024**

SATENDRA KUMAR & ANR.

..... Petitioners

Through: Mr. Pankaj Singh, Advocate along
with petitioners.

versus

STATE NCT OF DELHI AND ANR. & ORS.

..... Respondents

Through: Mr. Satish Kumar, APP for the State
with Mr. Chaman Prakash, Mr. Amit
Chaudhary, Mr. Ashok Kr. Shukla
and Mr. Lalit Kumar, Advocates and
with SI Naveen, P.S. Palam Village.
Mr. Peeyush Kaushik, Advocate for
complainant along with complainant.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

01.05.2024

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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 petitioners seeking quashing of FIR bearing no. 0173/2022, registered at Police Station Palam Village, Delhi for the offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of State.



3. All petitioners are present before this Court and have been identified by their counsel Mr. Pankaj Singh and Investigating Officer (IO) SI Naveen from Police Station Palam Village, Delhi.

4. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 22.02.2016 as per Hindu rites and Ceremonies. It is stated that one child namely Ms. Avani Yadav born out of said wedlock on 10.09.2018. It is stated that due to temperamental differences and certain other reasons, both the parties started living separately from each other since 07.06.2021. On the complaint of respondent no. 2, the present FIR bearing no. 0173/2022 was registered at Police Station Palam Village, Delhi against the petitioners for offence 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 Mediation Centre, Dwarka Court, New Delhi *vide* Settlement Agreement dated 30.05.2023 and dissolved their marriage by way of mutual consent.

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 before Mediation Centre, Dwarka Court, New Delhi *vide* Settlement Agreement dated 30.05.2023 and affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court have been filed and the same are on record.



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 no.1 and other family members.

7. Today, the complainant who is present in Court states that she has received all the amounts due to her as per settlement and has no objection, if the FIR is quashed.

8. 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.

9. Accordingly, FIR bearing no. 0173/2022, registered at Police Station Palam Village, Delhi for the offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

10. In view of above, the petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 1, 2024/zp

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