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

+ **CRL.M.C. 2376/2024**

LAXMI MITTAL & ORS.

..... Petitioners

Through: Mr Atul Sahi, Advocate along with petitioner no.3 in person and petitioner nos.1 and 2 through video conferencing.

versus

THE STATE & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State with W/SI Reena, Police Station Prashant Vihar.
Mr Anukrit Gupta, Mr Akash Gakkhar and Mr Ved Prakash Singh, Advocates for R-2 along with R-2 in person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
22.03.2024

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CRL.M.A. 9135/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 2376/2024 & CRL.M.A. 9136/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0057/2019 under Sections 354/354B/509/506/323/34 IPC registered at Police Station Prashant Vihar 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.3 (husband), as well as, respondent no. 2 (wife) are present in the Court whereas the petitioner nos.1 and 2, who are the parents of the petitioner no.3, have joined through video conferencing. The parties have been identified by their respective counsel and by the Investigating Officer W/SI Reena, Police Station Prashant Vihar.
5. The brief facts of the case are that the marriage between the petitioner no.3 and respondent no. 2 was solemnized on 20.04.2006 according to Hindu Rites and Customs. Out of the said wedlock, two male children were born, who are in the care and custody of the respondent no.2.
6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 23.02.2016. The dispute between the parties also led to the registration of present FIR at the instance of respondent no.2.
7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Compromise-cum-Settlement Deed dated 02.01.2024, a copy of which is annexed as Annexure P-3 to the present petition.
8. As per the settlement, the petitioner no.3 and the respondent no.2 decided to obtain a decree of divorce by mutual consent. Accordingly, they have taken steps for the dissolution of their marriage and first motion petition has already been allowed and disposed of vide order dated 25.01.2024. However, the second motion petition will be filed after



quashing of the present petition.

9. It is also a term of the settlement that the petitioner no.3 shall pay a total sum of Rs.5 crores to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc., as well as, for the maintenance of the children. Out of the said amount, a sum of Rs.1 crore has already been paid by the petitioner no.3 to the respondent no.2 in the manner as stated in the settlement. The remaining amount of Rs.3 crores have been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing Nos.650968, 650969 and 650970 all dated 21.03.2024 issued by IndusInd Bank. The balance amount of Rs.1 crore is payable at the time of recording of statement of the parties in the second motion petition.

10. The receipt of amount of Rs.4 crores is acknowledged by the respondent no.2, who is present in court.

11. Learned counsel for the parties fairly states that the present Compromise-cum-Settlement Deed shall not prejudice or impact the legal rights of the minor children as available to them under the law.

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

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.0057/2019



under Sections 354/354B/509/506/323/34 IPC registered at Police Station Prashant Vihar alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.
17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MARCH 22, 2024
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