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

+ **CRL.M.C. 2383/2024**

SUNIL @ SUNIL SHARMA & ORS.

..... Petitioners

Through: Ms. Sushila Kashyap, Adv. with
petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Raj Kumar, APP for State with SI
Shiv Dayal Kumar PS Harsh Vihar
Mr. Rajesh Kumar, Adv. for R2 with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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22.03.2024

CRL.M.A. 9155/2024 (exemption)

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

CRL.M.C. 2383/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.148/2016 under Sections 498A/406/323/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Harsh Vihar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. 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.

5. The petitioner no.1 (former husband), petitioners no. 2 – 4, who are close relatives of petitioner no. 1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Shiv Dayal Kumar PS Harsh Vihar.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 03.05.2014 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.

7. On account of temperamental issues certain disputes arose between the parties and they have been living separately for the last 10 years as mentioned in the order dated 02.12.2019. The dispute between the parties also led to the registration of present FIR.

8. During pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 02.12.2019, which is annexed as Annexure P5 to the present petition.

9. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 19.02.2020.

10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.2,00,000/- 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. Out of the said amount, a sum of Rs. 1,50,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs. 50,000/- has been paid to the respondent no.2 today in the court.

11. The receipt of entire amount of Rs.2,00,000/- is acknowledged by the respondent no.2, who is present in court.

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.148/2016 under Sections 498A/406/323/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Harsh 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/N.S. ASWAL