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

+ **CRL.M.C. 2495/2024**

ROHIT PAWAR

.....Petitioner

Through: Mr. Devinder Singh Khatana, M.r
Tarun Kapoor and Mr. Parveen
Kumar, Advocates with Petitioner
No.1, 3 and 4 in person.

versus

THE STATE (GOVT. OF NCT) OF DELHI AND ANR.

.....Respondent

Through: Mr. Hemant Mehla, Ld. APP for State
with SI Madhu P.S. Mandir Marg.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

30.08.2024

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1. The present Petition under Section 482 Cr.P.C has been filed on behalf of the petitioners seeking to quash the FIR No. 147/2016 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of Dowry Prohibition Act at Police Station Mandir Marg, Delhi.

2. Issue notice.

3. Mr. Hemant Mehla, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.

4. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 according to Hindu rites and ceremonies on 05.12.2011. It is stated that no child was born out of the said wedlock.



5. It is further submitted that due to temperamental difference between petitioners and respondent No.2, the respondent No.2 lodged an FIR No.147/2016 under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of Dowry Prohibition Act at Police Station Mandir Marg.

6. It is stated that the respondent No. 2 had also filed a complaint under The Protection of Women from Domestic Violence Act, 2005 against the petitioners which is pending trial. The matter was referred to Delhi Mediation Centre, Patiala House Court, where both the parties amicably settled all the disputes and differences *vide* Settlement dated 27.09.2022. It was agreed that the petitioners shall pay a total sum of Rs.5,00,000/- to respondent No.2 towards her Instidhan (past, present and future). As per the terms of Settlement the first Motion of divorce by mutual consent was allowed on 19.12.2022 and the petitioners have paid a sum of Rs.1 lakh to respondent No.2. The second Motion of divorce by mutual consent was allowed on 06.11.2023 and the petitioners have paid a sum of Rs.1 lakh to respondent No.2. A Decree of Divorce has been passed on 06.11.2023 by learned Judge, Family Court, Patiala House Courts, New Delhi. As per the terms of the Settlement dated 27.09.2022 the complaint under Protection of Women from Domestic Violence Act, 2005 was withdrawn by the complainant and another sum of Rs.1 lakh was paid to her by the petitioner.

7. It is also stated that on 06.11.2023, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

8. In view of the Settlement dated 27.09.2022, the present petition has been filed.

9. The parties, except petitioner No.2, are present before this Court in-person today, and have been identified by their counsel and Investigating



Officer concerned.

10. The balance amount of Rs.2,00,000/- has been paid to the respondent No. 2/wife Archana by the petitioner No. 1 today in the Court *via* DD No.131763 dated 29.08.2024 drawn on State Bank of India, and the same has been accepted by the respondent No. 2/wife.

11. The parties have submitted that all the disputes have been amicably settled *vide* Settlement dated 27.09.2022 and thus, no fruitful purpose will be served in continuing with the FIR.

12. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement dated 09.10.2023 and they also submit that the said Settlement has been arrived at between the parties without any pressure and coercion.

13. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

14. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

15. Moreover, there is no legal impediment in quashing the FIR in question.

16. Accordingly, FIR bearing No. 147/2016 registered at Police Station



Mandir Marg, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of Dowry Prohibition Act and all consequential proceedings emanating therefrom are quashed.

17. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 30, 2024/va