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

+ **CRL.M.C. 2688/2024**

SHRI RAJESH KUMAR SINGH & ANR. Petitioners

Through: **Mt. Lallan Tiwari, Ms. Mannu Singh
and Mr. K.Anand Singh, Advs.**

Versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: **Mr. Hitesh Vali, APP for State with
SI Vijay Pal Singh, Police Station
CWC Nanakpura.
Mr. Surjan Singh, Adv. for R-2 along
with R-2 in person.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

15.04.2024

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18. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.126/2014 under Sections 498A/406/34 IPC registered at Police Station Crime (Women) Cell and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

19. Notice was issued in the present petition on 04.04.2024.

20. The learned APP 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.

21. The petitioner no.1 (former husband) and the petitioner no.2, who is the mother of the petitioner no.1, as well as, respondent no. 2 (former wife),



are present in Court and they have been identified by their respective counsel and by the Investigating Officer SI Vijay Pal Singh, Police Station CWC Nanakpura.

22. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 26.03.2004 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Nishtha Singh, was born on 18.08.2010, who is presently in the care and custody of the respondent no.2/mother.

23. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 24.11.2012. The dispute between the parties also led to the registration of present FIR.

24. During the pendency of the proceedings, the parties were referred to Mediation Centre, Dwarka Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 22.08.2016, which is annexed as Annexure C to the present petition.

25. 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 28.07.2018, which is annexed as Annexure B to the present petition.

26. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.6.10 lacs 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. 5.50 lacs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the



settlement whereas there is delay in making the balance payment of Rs.60,000/-.

27. On the last date, the petitioner no.1 had agreed to pay an amount of Rs.65,000/- instead of balance amount of Rs.60,000/- to compensate the respondent no.2 for the delay in payment of said balance amount. The respondent no.2 had also agreed to the payment of Rs. 65,000/- as full and final balance amount. The said remaining amount of Rs.65,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.410320 dated 05.04.2024 issued by Central Bank of India.

28. The parties who are present in Court states that the terms and conditions recorded in the aforesaid settlement shall not in any manner prejudice or impact the rights of the minor child as available to her under law. Their statement is taken on record.

29. The receipt of entire amount of Rs.6.15 lacs is acknowledged by the respondent no.2, who is present in court.

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

31. 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.

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

33. Consequently, the petition is allowed and the FIR No.126/2014 under Sections 498A/406/34 IPC registered at Police Station Crime (Women) Cell alongwith all other proceedings emanating therefrom, is quashed.



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

APRIL 15, 2024/dss

VIKAS MAHAJAN, J