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

+ **W.P.(CRL) 1121/2024**

PRAVEEN RAI AND ORS

.....Petitioner

Through: **Mr. Amit Kumar Sharma and Ms.
Dolly Goswami, Advocates.**

versus

THE STATE AND ANR

.....Respondents

Through: **Mr. Anand V. Khatri, Ld. ASC for
State with ASI Ravinder Kumar P.S.
Wazirabad.**

**Mr. Susheel Kumar Tiwari, Advocate
for R-2 with R-2 in person.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **27.08.2024**

1. The Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C., 1973'*) has been filed on behalf of the petitioner, seeking quashing of the FIR No.565/2022, for the offence under Section 498-A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Wazirabad.
2. Issue notice.
3. Mr. Anand V. Khatri, learned ASC 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/husband and respondent No. 2/wife on 22.11.2019, according to the Hindu rites and ceremonies and no child was born out of



the said wedlock. Due to the temperamental difference the petitioner No.1 and respondent No.2 could not adjust with each other and started living separately since 26.04.2021.

5. It is further submitted that on 10.07.2022, on the complaint of the respondent No. 2, an FIR bearing No.565/2022, for the offence under Section 498-A/406/34 of the IPC, got registered at Police Station Wazirabad.

6. It is stated that the matter was referred to Mediation Centre, Tis Hazari Court, wherein petitioner No. 1 and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Deed dated 22.09.2022 wherein it was *inter alia* settled between the parties that petitioner No.2 shall pay a total sum of Rs.3,50,000/- along with articles and jewellery to respondent No.2 towards full and final settlement of all her claims including istridhan, maintenance past, present and future and permanent alimony etc. It was further agreed that Ist instalment of Rs.1,75,000/- shall be paid to respondent No.2 at the time of recording of statement in the First Motion petition and 2nd instalment of Rs.1,75,000/- shall be paid at the time of recording statement of the parties during Second Motion Petition.

7. In view of the Settlement Deed dated 22.09.2022, the present Petition has been filed.

8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. The parties have submitted that all the disputes have been amicably



settled *vide* Settlement Deed dated 22.09.2022 and thus, no fruitful purpose will be served in continuing with the FIR.

10. The present petition has been signed by the petitioner and is supported by his affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 22.09.2022 and they also submit that the said Settlement Deed dated 22.09.2022 has been arrived at between the parties, without any pressure and coercion.

11. Today, the respondent No. 2/wife, who is present in the Court, states that she has already received the entire Settlement amount and has no objection if the FIR is quashed.

12. 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, 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.

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

14. Accordingly, FIR No. 565/2022 for the offence punishable under Sections 498-A/406/34, registered at Police Station Wazirabad and all consequential proceedings emanating therefrom are quashed.

15. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 27, 2024/va