



\$~77

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

+ **CRL.M.C. 2884/2024**

HIMANSHU GOEL AND ORS.

..... Petitioners

Through: Mr Varun Mittal, Advocate along
with petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr Hitesh Vali, APP for the State
with SI Sourav Singh, Police Station
Mangolpuri.

Mr Vivek Sansanwal, Advocate for
R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

10.04.2024

CRL.M.A. 11008/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 2884/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0728/2021 under Sections 406/498A/34 IPC registered at Police Station Mangolpuri 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.1 (former husband) and petitioner nos.2 to 5, who are close relatives of the 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 Sourav Singh, Police Station Mangolpuri.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 31.01.2020 according to Hindu Rites and Customs. No child was born out of the said wedlock.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 11.07.2020. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 21.10.2023, which is annexed as Annexure P-2 to the present petition.

8. 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 07.03.2024, which is annexed as Annexure P-3 to the present petition.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.42 lakhs 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.35 lakhs 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.7 lakhs has been paid to the



respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.654862 dated 04.04.2024 issued by IDFC First Bank.

10. The receipt of entire amount of Rs.42 lakhs is acknowledged by the respondent no.2, who is present in court.

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

12. 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.

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

14. Consequently, the petition is allowed and the FIR No.0728/2021 under Sections 406/498A/34 IPC registered at Police Station Mangolpuri alongwith all other proceedings emanating therefrom, is quashed.

15. The petition stands disposed of in the above terms.

16. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

APRIL 10, 2024
MK