



\$~78

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2891/2024**
SAUNAK SEN GUPTA & ORS. Petitioners
Through: **Ms. Jhuma Bose, Adv.**

versus

THE STATE NCT OF DELHI AND ANR. Respondents
Through: **Mr. Hitesh Vali, APP for State with**
SI Mohit Kumar, Police Station C.R.
Park.
Mr. S.K. Bhaduri, Ms. Sneha Lata Jha,
Mr. Sumit Kumar and Ms. Neetu
Gupta, Advs. for R-2 along with R-2
in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

10.04.2024

CRL.M.A. 11053/2024 (exemption)

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

CRL.M.C. 2891/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.279/2020 under Sections 406/498A/34 IPC registered at Police Station Chitranjan Park 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) and the petitioner nos. 2 to 5, 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 Mohit Kumar, Police Station C.R. Park.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 15.12.2018 according to Hindu Rites and Customs. No child was born out of the said wedlock..

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 30.06.2019. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding/Compromise Deed dated 09.11.2023, which is annexed as Annexure P-2 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 15.02.2024, which is annexed as Annexure P-7 to the present petition.

10. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.25 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. The entire settlement amount has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement.

11. The receipt of entire amount of Rs.25 lacs 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.279/2020 under Sections 406/498A/34 IPC registered at Police Station Chitranjan Park 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

APRIL 10, 2024/dss