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

+ **CRL.M.C. 3007/2024**

SURENDER THAKUR & ORS.

..... Petitioners

Through: Mr. Surender Thakur, Advocate

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Satish Kumar, APP for the State
with Mr. Chaman Prakash, Mr. Amit
Chaudhary, Mr. Ashok Kr. Shukla
and Mr. Lalit Kumar, Advocates and
with Inspector Harinder Singh, P.S.
Mangolpuri.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

01.05.2024

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CRL.M.A. 11580/2024 (exemption)

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

CRL.M.C. 3007/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 1177/2018, registered at Police Station Mangol Puri, Delhi for the offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf



of State.

5. All petitioners are present before this Court and have been identified by their counsel Mr. Surender Thakur and Investigating Officer (IO) from Police Station Mangol Puri, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 16.02.2010 as per Hindu rites and Ceremonies. It is stated that no child was born out of the said wedlock. It is stated that due to temperamental differences and certain other reasons, both the parties started living separately from each other since 21.07.2017. On the complaint of respondent no. 2, the present FIR bearing no. 1177/2018 was registered at Police Station Mangol Puri, Delhi against the petitioners for offence punishable under Sections 498A/406/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Agreement dated 05.07.2022 and dissolved their marriage by way of mutual consent.

7. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties *vide* Settlement Agreement dated 05.07.2022.

8. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, stridhan, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with petitioner no.1 and other family members. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.



9. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 1177/2018, registered at Police Station Mangol Puri, Delhi for the offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. In view of above, the petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 1, 2024/zp

Click here to check corrigendum, if any