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

+ **CRL.M.C. 3205/2024**

SHRI ROHIT PATRICK

..... Petitioner

Through: Ms. Sunita Yadav and Mr.
Vivekanand, Advs.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr.Raj Kumar, APP for State with SI
Jatinder Kumar, Police Station Uttam
Nagar along with respondent no.2

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
25.04.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.927/2017 under Sections 498A/406/34 IPC registered at Police Station Uttam Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. The petitioner (former husband), 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 Jitender Kumar, PS



Uttam Nagar.

4. The brief facts of the case are that the marriage between the petitioner and respondent no. 2 was solemnized on 07.10.2015 according to Christian Rites and Ceremonies. Out of the said wedlock, one male child namely Reyansh was born, who is presently in the care and custody of the respondent no.2.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 28.09.2016. The dispute between the parties also led to the registration of present FIR.

6. 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 26.11.2021, which is annexed as Annexure-B to the present petition.

7. 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 and respondent no.2 have obtained a decree of divorce dated 13.10.2022, which is annexed as Annexure-C to the present petition.

8. It is also a term of the settlement between the parties that the petitioner shall pay a total sum of Rs.4,20,000/- 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. and also for maintenance of minor child. The receipt of entire amount of Rs.4,20,000/- is acknowledged by the respondent no.2, who is present in court.

9. The respondent no.2, on a query put by the Court, states that she has



no objection in case the FIR is quashed.

10. 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.

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

12. Consequently, the petition is allowed and the FIR No. 927/2017 under Sections 498A/406/34 IPC registered at Police Station Uttam Nagar alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

APRIL 25, 2024

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