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

+ **CRL.M.C. 3271/2024**

PRAVESH KUMAR SAGAR & ORS.

..... Petitioners

Through: Mr Sanjeev Kumar and Mr Dalip
Singh, Advocates along with
petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through: Mr Hitesh Vali, APP for the State
with SI Kavish, PS Inderpuri.
Mr Chittaranjna Hati, Advocate for
R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

26.04.2024

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CRL.M.A. 12607/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3271/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0140/2013 under Sections 406/34 IPC registered at Police Station Inder Puri 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 and 3, 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 Kavish, PS Inderpuri.
5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 08.12.2008 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Divya was born, who is in the care and custody of the respondent no.2.
6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 01.04.2010. The dispute between the parties also led to the registration of present FIR.
7. During the pendency of the proceedings, the parties were referred to the learned Principal Judge attached to the Family Court, Patiala House Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 01.02.2023, copy of which is annexed as Annexure P-4 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 02.12.2023, a copy of which is annexed as Annexure P-5 (Colly.) 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.43 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. The entire settlement amount of Rs.43 lakhs has already been paid by the



petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement.

10. The receipt of entire amount of Rs.43 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.0140/2013 under Sections 406/34 IPC registered at Police Station Inder Puri 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.

APRIL 26, 2024
MK

VIKAS MAHAJAN, J