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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1281/2024, CRL.M.A.s 12453/2024 & 12454/2024**
JITENDRA KUMAR AND ORS Petitioner

Through: Mr.Sanjay Sharma, Adv.

versus

STATE NCT OF DELHI AND ANR. Respondents

Through: Ms.Rupali Bandhopadhyaya, ASC with
Ms.Abhijeet Kumar, Adv with SI
Harshvardhan, PS Farsh Bazar.
Ms.Shyamla Pal, Adv for R-2.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER
26.04.2024

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1. By way of the present petition, the petitioners seek quashing of FIR No.0070/2017 under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Farsh Bazar, Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent No.2 are present in the Court and they have been identified by their respective counsel as well as by the Investigating Officer.
3. A perusal of the facts would show that the marriage of petitioner No.1 with respondent No.2 was solemnized according to Hindu rites and rituals on 09.03.2016. On 23.02.2017, the FIR in question was lodged by respondent No.2 against the petitioners. During the pendency of the proceedings, petitioner No.1 realised that it would not be possible for them



to continue their matrimonial relations. They, therefore, decided to part their ways.

4. Learned counsel appearing on behalf of the parties submit that with the intervention of the family members and well wishers, the parties have entered into a settlement *vide* Settlement Deed dated 08.02.2023 (*Annexure P-3*) before Learned Principal Judge, Family Court, Karkardooma, Shahdara, Delhi. In terms of the settlement, it was agreed that a sum of Rs.6,00,000/- as full and final settlement shall be paid by petitioner No.1 to respondent No.2 towards her claims *qua* maintenance, *stridhan*, alimony, etc. A sum of Rs.4,00,000/- has already been paid to respondent No.2 and a balance amount of Rs.2,00,000/- is paid today in the Court by way of demand draft bearing No. 344348 dated 20.03.2024 to respondent No.2.

5. Respondent No.2, who is present in the Court acknowledges the receipt of the aforesaid amount. She submits that she has entered into the aforesaid settlement with her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed, as she is left with no claim against the petitioners.

6. The statement and undertaking given on behalf of the parties is taken on record and they are held bound by the same.

7. Taking into consideration the overall facts and circumstances of the case and the fact that the parties have arrived at an amicable settlement voluntarily, without any force, therefore, under such circumstances and in view of the law laid down by the Hon'ble Supreme Court in the matters of



*B.S. Joshi & Ors v. State of Haryana & Anr.*¹, *Gian Singh v. State of Punjab*² and *Jitendra Raghuvanshi & Ors. v. Babita Raghuvanshi & Anr.*³, there is no reason as to why genuine settlement between the parties of a matrimonial dispute shall not be encouraged.

8. Hence, the FIR No.0070/2017 under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Farsh Bazar, Delhi and the proceedings emanating therefrom are hereby quashed, subject to encashment of the aforesaid demand draft.

9. The petition is accordingly disposed of alongwith pending applications.

PURUSHAINDRA KUMAR KAURAV, J.

APRIL 26, 2024/MJ

¹ (2003) 4 SCC 675

² (2012) 10 SCC 303

³ (2013) 4 SCC 58