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

+ **CRL.M.C. 3298/2024**

PRATEEK SHARMA & ANR.

..... Petitioners

Through: **Mr. J.D. Sharma, Advocate.**

versus

**STATE THROUGH SHO PS CRIME WOMEN CELL NANAK
PURA AND ANR**

..... Respondents

Through: **Mr.Satish Kumar, APP for the State
with SI Vijay Pal Singh, P.S.: CWC
Nanak Pur.**

**Mr. Nikhil Gautam, Advocate for R-2
with R-2 in-person.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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29.04.2024

CRL.M.A. 12712/2024 (exemption)

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

CRL.M.C. 3298/2024

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed by the petitioner seeking quashing of FIR bearing No. 0085/2016, registered at Police Station CAW Cell, Nanakpura, New Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of the State.



5. Brief facts of the present case are that on 25.01.2015, the marriage between petitioner no. 1 and respondent no. 2 was solemnized according to Hindu rites and customs, at Delhi. It is further stated that due to serious disputes and differences between the parties, on account of temperamental differences, the parties started living separately since 02.02.2016. It is further submitted that on 26.05.2016, on the complaint of respondent no. 2, an FIR bearing No. 0085/2016, got registered at Police Station CAW Cell, Nanakpura. It is further submitted that on 04.01.2024, upon the case being assigned to the Counselling Cell, the parties decided to get their marriage dissolved. On 02.02.2024, the petitioner no. 1 and respondent no. 2 filed a joint petition for dissolving their marriage by a decree of divorce, and on the basis of their joint statement, learned Family Court was pleased to allow the same and the marriage between the two was finally dissolved by mutual consent. It is also stated that the charge-sheet has been filed in this case. Hence, the present petition has been instituted to quash the subject FIR.

6. All the petitioners are present before this Court and have been identified by their counsel Mr. J.D. Sharma and Investigating Officer (IO) SI Vijay Pal Singh, from Police Station Nanakpur.

7. On the 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 and a decree of divorce has been granted to the parties *vide* order dated 02.02.2024.

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.

9. Today, the complainant who is present in Court states that she has received all amount and has no objection if the FIR is quashed.

10. 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.

11. Accordingly, FIR bearing No. 0085/2016, registered at Police Station CAW Cell, Nanakpura, New Delhi, for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of.

13. The order be uploaded on the website forthwith.

APRIL 29, 2024/at

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any