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

+ **W.P.(CRL) 1296/2024**

JINENDER JAIN & ORS.

..... Petitioners

Through: Ms. Gargi Tuli and Mr. Abhishek
Kumar, Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr. Sanjeev Bhandari, ASC with Ms.
Anvita Bhandari, Mr. Kunal Mittal,
Mr. Arjit Sharma and Mr. Vaibhav
Vats, Advs. for State with SI Jitendra,
PS GK-I
Ms. Babita Verma, Ms. Shivangi
Gupta, Ms. Aastha and Ms. Vallabhi
Rastogi, Advs. for R-2

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **29.04.2024**

CRL.M.A. 12670/2024 (exemption)

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

W.P.(CRL) 1296/2024

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.321/2021 under Sections 498A/406/354/34 IPC registered at Police Station Greater Kailash and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.



2. Issue notice. The learned ASC 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 no.1 (former husband), as well as, respondent no. 2 (former wife) are present in the Court whereas petitioner nos.2 to 7, who are close relatives of petitioner no.1, have joined through VC and they have been identified by their respective counsel and by the Investigating Officer SI Jitendra.
4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 27.11.2020 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.
5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 16.05.2021. The dispute between the parties also led to the registration of present FIR.
6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Agreement dated 28.02.2024, which is annexed as Annexure P-2 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 no.1 and respondent no.2 have obtained a decree of divorce dated 01.04.2024, which is annexed as Annexure P-3 to the present petition.
8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.66,11,000/- 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.

9. The receipt of entire amount of Rs.66,11,000/- is acknowledged by the respondent no.2, who is present in court.

10. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

11. 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.

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

13. Consequently, the petition is allowed and the FIR No. 321/2021 under Sections 498A/406/354/34 IPC registered at Police Station Greater Kailash alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

APRIL 29, 2024

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