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

+ **W.P.(CRL) 1306/2024**

SANJEEV KUMAR KAPIL & ORS.

..... Petitioners

Through: Ms. Sonia Arora, Mr. Nitin Arora,
Advocates along with petitioners in
person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Yasir Rauf Ansari, ASC with Mr.
Alok Sharma & Mr. Vasu Agarwal,
Advocates for State along with SI
Gajal Chugh, P.S. Krishna Nagar,
Delhi.
Mr. Brijbhushan Tyagi, Advocate for
R-2 along with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

29.04.2024

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CRL.M.A. 12776/2024 (exemption)

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

W.P.(CRL) 1306/2024

1. The instant petition under Article 226 of Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioners praying for quashing of FIR bearing No.312/2018 registered at Police Station Krishna Nagar, Delhi for offences punishable under



Sections 498A/406/34 of the Indian Penal Code ('IPC').

2. Issue notice. Mr. Yasir Rauf Ansari, learned ASC accepts notice on behalf of the State.

3. The petitioners are present before this Court and have been identified by his counsel Ms. Sonia Arora and Investigating Officer (IO) SI Gajal Chugh from Police Station Krishna Nagar, Delhi.

4. On a 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 before Delhi Mediation Centre, Karkardooma Courts, Delhi on 10.01.2024 and the affidavit showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court has been handed over in the court today and the same is taken on record.

5. 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.

6. Today, the complainant who is present in Court states that she has received all amounts due to her and has no objection if the FIR is quashed.

7. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served by continuing the proceedings, rather the same



would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

8. Accordingly, FIR bearing No.312/2018 registered at Police Station Krishna Nagar, Delhi for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

9. The affidavit with regard to future rights of the child has been filed.

10. The petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 29, 2024/hs

Click here to check corrigendum, if any