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

+ **W.P.(CRL) 1725/2023**

JITENDER & ORS.

..... Petitioners

Through: **Ms. Saira Parveen, Advocate.**

versus

TEH STATE & ANR.

..... Respondents

Through: **Mr. Sanjay Lao, Standing Counsel
(Criminal) for the State with Mr.
Abhinav Kumar & Mr. Shivesh
Kaushik, Advocates.
SI Srishti, P.S.: Subhash Place.
Mr. Prashant Kumar Bhardwaj,
Advocate for R-2.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

04.04.2024

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CRL.M.A. 16020/2023 (exemption)

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

W.P.(CRL) 1725/2023

3. The present writ petition under Article 226 of the Constitution of India, read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioners seeking quashing of FIR bearing No. 0401/2022, registered at Police Station Subhash Place, Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC'), and all proceedings emanating therefrom.
4. Issue notice. Mr. Sanjay Lao, learned Standing Counsel appearing on



behalf of the State accepts notice.

5. All the petitioners are present before this Court, who have been identified by their counsel Ms. Saira Parveen and Investigating Officer SI Srishti, Police Station Subhash Place.

6. Brief facts of the case, as per the petition are, that the marriage between the petitioner no. 1 and respondent no. 2 was solemnized on 08.11.2019, according to Hindu rites and customs. Since April 2021, petitioner no. 1 and respondent no. 2 started residing separately. It is stated that no child was born out of the said wedlock. On 02.03.2022, on the complaint of respondent no. 2, the said FIR got registered against the petitioners, at Police Station Subhash Place, Delhi. It is stated that both the parties have amicably settled all their disputes and differences before the Delhi Mediation Centre, Tis Hazari Courts, Delhi. It is also stated that it was agreed between the parties that the petitioner no. 1 shall pay Rs. 3,50,000 (Rupees Three Lakhs Fifty Thousand Only) and shall return the articles. It is further stated that on 24.02.2023, the marriage between the petitioner no. 1 and respondent has been dissolved by way of mutual consent. It is stated that Rs. 2,50,000 (Rupees Two Lakhs Fifty Thousand Only) has been paid to the complainant and the remaining amount is to be paid at the time of quashing of the said FIR. It is stated that charge-sheet has not been filed. Hence, the present petition has been instituted for quashing of FIR.

7. 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 *vide* Mediation Settlement dated



18.04.2022.

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 the last and final instalment of Rs. 1,00,000/- today, i.e., 04.04.2024 *vide* DD No. 049154 drawn on Punjab National Bank 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. 0401/2022, registered at Police Station Subhash Place, 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.

SWARANA KANTA SHARMA, J

APRIL 4, 2024/at

Click here to check corrigendum, if any