



\$~60

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

+ **CRL.M.C. 3328/2024**

**HARVIND SINGH & ORS.**

..... Petitioners

Through: Mr K. S. Rekhi, Mr Parv Garg and Mr  
Pawan Kulshrestha, Advocates along  
with petitioners in person.

versus

**GOVERNMENT OF NCT OF DELHI & ORS.**

..... Respondents

Through: Mr Raj Kumar, APP for the Stae with  
ASI Ram Avtar, PS Hari Nagar.  
Mr Taranpreet Singh and Md.  
Shameem, Advocates for  
complainant/respondent no.2 along  
with father/power of attorney holder  
of respondent no.2.

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

**30.04.2024**

%

**CRL.M.A. 12833/2024**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 3328/2024**

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0027/2021 under Sections 498A/406/34 IPC registered at Police Station Hari Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. Issue notice. The learned APP 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.

4. Learned counsel for the respondent no.2 (former wife) submits that



the respondent no.2 is not available as she is not in India. A Special Power of Attorney dated 05.09.2023 has been executed by the respondent no.2 in favour of her father Shri Hari Singh Pannu.

5. The petitioner no.1 (former husband) and petitioner nos.2 to 5, who are close relative of the petitioner no.1, as well as, Shri Hari Singh Pannu, Special Power of Attorney holder of the respondent no. 2, are present in the Court and they have been identified by their respective counsel and by the Investigating Officer ASI Ram Avtar, PS Hari Nagar.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 27.01.2019 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Harkirat Kaur was born.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately since 2020. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 05.09.2023, a copy of which is annexed as Annexure P-5 to the present petition.

9. 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 02.03.2024.

10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.13 lakhs 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. Out of the said amount, a sum of Rs. 11 lakhs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.2 lakhs has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.937378 dated 29.04.2024 issued by Canara Bank.

11. The receipt of entire amount of Rs.13 lakhs is acknowledged by the SPA holder of the respondent no.2, who is present in court.

12. The SPA of the respondent no.2, on a query put by the Court, states that he has no objection in case the FIR is quashed.

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.0027/2021 under Sections 498A/406/34 IPC registered at Police Station Hari Nagar alongwith all other proceedings emanating therefrom, is quashed.

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

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

**VIKAS MAHAJAN, J**

**APRIL 30, 2024**  
**MK**