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

+ **CRL.M.C. 3329/2024**

SANJAY SAXENA

..... Petitioner

Through: **Mr. Krishnagopal Abhay, Advocate**

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: **Ms. Manjeet Arya, APP for the State
with IO, P.S. Prashant Vihar.
Respondent no. 2-in-person.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

30.04.2024

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CRL.M.A. 12834/2024 (exemption)

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

CRL.M.C. 3329/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking quashing of FIR bearing no. 0327/2022, registered at Police Station Prashant Vihar, Delhi for the offences punishable under Sections 498A/406 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
4. Issue notice. Ms. Manjeet Arya, learned APP accepts notice on behalf of State.
5. Petitioner is present before this Court and has been identified by his



counsel Mr. Krishnagopal Abhay and Investigating Officer (IO) from Police Station Prashant Vihar, Delhi.

6. Brief facts of the present case are that the marriage between petitioner and respondent no. 2 was solemnized on 30.11.2019 as per Hindu rites and ceremonies. No child was born out of the said wedlock. It is stated that due to temperamental differences which had arisen between the parties, both the parties started living separately from each other since 01.02.2020. On the complaint of respondent no. 2, the present FIR bearing no. 0327/2022 was registered at Police Station Prashant Vihar, Delhi against the petitioners for offence punishable under Sections 498A/406 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Agreement dated 19.07.2023 and dissolved their marriage by way of mutual consent.

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* Settlement Agreement dated 19.07.2023.

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. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.

9. The petitioner had paid a sum of Rs. 4,50,000/- in three installments in the following manner:



- a. First installment of Rs. 1,50,000/- paid to respondent no. 2 in the first motion petition.
- b. Second installment of Rs. 1,50,000/- paid to respondent no. 2 at the time of second motion petition.
- c. Third /Final instalment of Rs. 1,50,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

10. Today, the complainant who is present in Court states that she has received the last and final instalment of Rs. 1,50,000/- today, i.e., 30.04.2024 vide DD No. 006271 drawn on HDFC Bank, Kaushambi, Ghaziabad-201010 and has no objection, if the FIR is quashed.

11. 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.

12. Accordingly, FIR bearing no. 0327/2022, registered at Police Station Prashant Vihar, Delhi for the offences punishable under Sections 498A/406 of IPC and all consequential proceedings emanating therefrom are quashed.

13. In view of above, the petition stands disposed of.

14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 30, 2024/zp

[Click here to check corrigendum, if any](#)