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

+ **CRL.M.C. 3345/2024**

RAHUL VIJ AND ORS.

..... Petitioners

Through: Ms. Vinita Raghav, Advocate
alongwith petitioners in person

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Pradeep Gahalot, APP for the
State with SI Vijay Pal Singh, P.S.
C.W.C., Nanakpura, Delhi
Mr. Dhruva Bhagat, Advocate for R-2
with GPA Holder of R-2 and R-2
(appeared through VC)

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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30.04.2024

CRL.M.A. 12902/2024 (exemption)

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

CRL.M.C. 3345/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 0070/2017, registered at Police Station CAW Cell, Nanakpura, Delhi for the offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential



proceedings emanating therefrom.

4. Issue notice. Mr. Pradeep Gahalot, learned APP accepts notice on behalf of State.

5. Petitioners are present before this Court and have been identified by their counsel Ms. Vinita Raghav and Investigating Officer (IO) SI Vijay Pal Singh from Police Station CWC, Nanakpura, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 20.07.2015 as per Hindu rites and ceremonies at Hotel Signature Grand, Hari Nagar, Delhi. 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 09.05.2016. On the complaint of respondent no. 2, the present FIR bearing no. 0070/2017 was registered at Police Station CAW Cell, Nanakpura, Delhi against the petitioners for offence punishable under Sections 498A/406/34 of IPC. After investigation, the chargesheet was filed before the concerned Court. It is stated that during the pendency of the case, both the parties had compromised/settled the matter between them and dissolved their marriage by way of mutual consent before the concerned Court.

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.

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/respondent no. 2 who is present in Court states that she has received the settled amount of Rs.3,50,000/- today, i.e., 30.04.2024 *vide* DD No. 013584 drawn on Axis Bank, Shastri Nagar, Delhi 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. 0070/2017, registered at Police Station CAW Cell, Nanakpura, Delhi for the offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 30, 2024/ns

Click here to check corrigendum, if any