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

+ **CRL.M.C. 3488/2024**

SANKALP KISHOR @PIYUSH SHUKLA AND ORS

..... Petitioners

Through: Ms. Shannu Baghel, Mr. Sudhir Kumar, Advocates.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Satish Kumar, APP for the State with Mr. Shikhar Bhardwaj & Mr. Lakshay Singh Rawat, Advocates with SI Krishan Kumar, P.S.: New Ashok Nagar.
Mr. Veeru Pal, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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02.05.2024

CRL.M.A. 13394/2024 (exemption)

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

CRL.M.C. 3488/2024

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been instituted on behalf of the petitioners seeking quashing of FIR bearing No. 0639/2021, registered at Police Station New Ashok Nagar, Delhi, for offences punishable under Sections 498A/406/377/323/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf



of the State.

5. Brief facts of the present case are that the petitioner no. 1 had got married to respondent no. 2 on 20.06.2021, as per Hindu rites and customs, at Lucknow. On the complaint of respondent no. 2, an FIR bearing no. 0639/2021, got registered. On 19.10.2023, the charge-sheet was filed under Sections 498A/406/377/323/34 of the IPC. It is stated that on 02.01.2024, the petitioner no.1 and respondent no. 2 had entered into a compromise for taking divorce with mutual consent and for quashing of the present FIR. It is further stated that on 19.01.2024, the petitioner no. 1 and respondent no. 2 had filed a petition for divorce with mutual consent before the learned Principal Judge, Family Courts, Lucknow and first motion for divorce had been completed on 19.01.2024. It is also stated that *vide* settlement deed dated 02.01.2024, the petitioners shall pay a sum of Rs. 10,00,000/- to respondent no. 2. It is stated that Rs. 5,00,000/- has already been paid to respondent no. 2, and remaining amount of Rs. 5,00,000 /- shall be paid at the time of disposal of the petition being Petition No. 4089/2023, under Section 13 (B) of the Hindu Marriage Act, 1955. Hence the present petition for quashing of the said FIR has been filed.

6. All the petitioners are present through video-conferencing and have been identified by their counsel, as well as the concerned Investigating Officer.

7. On the 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 Deed dated 02.01.2024



entered into between them.

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 she is aware that the remaining amount of Rs. 5,00,000/- will be paid after the second motion of divorce proceedings, and she still insists that she has no objection if the said 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. 0639/2021, registered at Police Station New Ashok Nagar, Delhi, for offences punishable under Sections 498A/406/377/323/34 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

MAY 2, 2024/at

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