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

+ **CRL.M.C. 3542/2024**

NAGESH KUMAR

..... Petitioner

Through: Mr. Anand Parashar, Mr. Ajay Kumar
Rana, Mr. Virender Kumar and Ms.
Ritu Mishra, Advs.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Raj Kumar, APP for State with SI
Nimesh Yadav, PS. Begumpur.
Mr. Birender Kumar, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

16.05.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.661/2018 under Sections 498A/406/34 IPC registered at Police Station Begumpur and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. The petitioner (former husband), as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Nimesh Yadav, PS. Begumpur.



4. The brief facts of the case are that the marriage between the petitioner and respondent no. 2 was solemnized on 13.02.2017 according to Hindu Rites and Customs. No child was born out from the said wedlock.
5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 10.12.2018. The dispute between the parties also led to the registration of present FIR.
6. During the pendency of the proceedings, the parties were referred to Mediation Centre, Rohini District Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement/Agreement dated 05.09.2022, which is annexed as Annexure B to the present petition.
7. 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 26.05.2023, which is annexed as Annexure C to the present petition.
8. It is also a term of the settlement between the parties that the petitioner shall pay a total sum of Rs.1.5 lacs 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. 1 lac has already been paid by the petitioner to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.50,000/- has been paid to the respondent no.2 today in the court by the petitioner by way of Demand Draft bearing No.302056 dated 23.04.2024 issued by Bank of Maharashtra.
9. The receipt of entire amount of Rs.1.5 lacs is acknowledged by the



respondent no.2, who is present in court.

10. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

11. 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.

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

13. Consequently, the petition is allowed and the FIR No.661/2018 under Sections 498A/406/34 IPC registered at Police Station Begumpur alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

MAY 16, 2024/dss