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

+ **W.P.(CRL) 1405/2024**

**GAURAV VATS**

..... Petitioner

Through: **Ms. Rita Gupta, Adv.**

versus

**STATE OF NCT OF DELHI**

..... Respondent

Through: **Mr. Sanjay Lao, SC for State with  
Ms. Priyam Aggarwal, Adv. with SI  
Naveen, PS. Palam Village.  
Mr. Vishwa Prakash Rai, Adv. for R-  
2.**

**CORAM:**

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

**ORDER**

% **06.05.2024**

**CRL.M.A. 13717/2024 (exemption)**

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

**W.P.(CRL) 1405/2024**

3. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.346/2021 under Sections 406/498A/34 IPC registered at Police Station Palam Village and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. The learned Standing Counsel 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 is quashed.



5. The petitioner no.1 (former husband) and the petitioner nos.2 and 3, who are close relatives of petitioner no.1 are present in Court whereas the respondent no. 2 (former wife) has joined through VC and they have been identified by their respective counsel and by the Investigating Officer SI Naveen, PS. Palam Village.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 13.10.2016 according to Hindu Rites and Customs. Out of the said wedlock, one male child namely, Vaidant was born, who is presently in the care and the custody of the petitioner no.1 and the respondent no.2 has visitation rights to meet the child.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 15.09.2020. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Counselling Cell, Family Courts, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 26.10.2023, which is annexed as Annexure P-2 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 22.12.2023.

10. It is also a term of the settlement between the parties that the respondent no.2 has waived all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc. This fact is also affirmed by the respondent no.2, who has joined



through VC.

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

12. 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.

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

14. Consequently, the petition is allowed and the FIR No.346/2021 under Sections 406/498A/34 IPC registered at Police Station Palam Village alongwith all other proceedings emanating therefrom, is quashed.

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

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

**VIKAS MAHAJAN, J**

**MAY 6, 2024/dss**