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

+ **CRL.M.C. 3647/2024**

DALJEET SHARMA & ORS.

..... Petitioners

Through: Mr Pradeep Rana, Mr Ankit Rana, Mr Deepak Chillar, Ms Tanisha Jain and Mr Tushar, Advocates along with petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State with SI Anup Rana, PS Paschim Vihar West and SI Sangeeta, PS CWC Nanakpura.

Mr Sahil Kakkar, Advocate for R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

09.05.2024

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CRL.M.A. 13973/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3647/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0091/2019 under Sections 323/341/34 IPC registered at Police Station Paschim Vihar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. 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.

4. The petitioner no.2 (husband) and petitioner nos.1 and 3, who are close relatives of the petitioner no.2, as well as, respondent no. 2 (wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Anup Rana, PS Paschim Vihar West and SI Sangeeta, PS CWC Nanakpura.

5. The brief facts of the case are that the marriage between the petitioner no.2 and respondent no. 2 was solemnized on 19.04.2017 according to Hindu Rites and Customs. No child was born out of the said wedlock.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 18.06.2018. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 05.03.2024, a copy of which is annexed as Annexure P-2 to the present petition.

8. In terms of the said settlement, the petitioner no.2 and respondent no.2 decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.2 and the respondent no.2 have already taken steps to dissolve their marriage and the first motion petition has been allowed.

9. It is also a term of the settlement that the petitioner no.2 shall pay a total sum of Rs.38 lakhs 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. 10 lakhs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. Further, an amount of Rs.14 lakhs have been paid to the respondent no.2 today in the court by the petitioner no.1 by way of following demand drafts:-

- a) DD No.024890 dated 12.04.2024 for a sum of Rs.5,00,000/-.
- b) DD No.024894 dated 12.04.2024 for a sum of Rs.5,00,000/-.
- c) DD No.024858 dated 26.03.2024 for a sum of Rs.4,00,000/-

10. The respondent no.2, who appears in person confirms having received an amount of Rs.24 lakhs.

11. As per the settlement the balance amount of Rs.14 lacs is payable in the following manner:

- (v) Rs.10 lacs at the time of quashing of FIR No.204/2018 registered at Police Station Mianwali Nagar.
- (vi) Rs. 4 lacs at the time of recording of statement of the parties at the stage of second motion petition.

12. Respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed.

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.0091/2019 under Sections 323/341/34 IPC registered at Police Station Paschim Vihar alongwith all other proceedings emanating therefrom, is quashed.

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



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

MAY 9, 2024/MK

VIKAS MAHAJAN, J