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

+ **W.P.(CRL) 1436/2024**

DEEPAK KUMAR GIRI AND ORS.

..... Petitioners

Through: **Mr. Ashok Kumar Singh, Advocate**

versus

STATE THROUGH SHO PS DABRI AND ANR. Respondents

Through: **Mr. Anand V. Khatri, ASC for the State and with SI Shankar, P.S. Dabri. Mr. Praveen Kumar Rajput, Advocate for R-2 with R-2 and her mother Uma Devi and her Bhabi Pinki Bharti.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

07.05.2024

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CRL.M.A. 13963/2024 (exemption)

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

W.P.(CRL) 1436/2024

3. The instant petition under Article 226 of the Constitution of India read with 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. 0383/2022, registered at Police Station Dabri, 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. Anand V. Khatri, learned ASC accepts notice on behalf of State.



5. All petitioners are present before this Court and have been identified by their counsel Mr. Ashok Kumar Singh and Investigating Officer (IO) SI Shankar from Police Station Dabri, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 08.12.2017 as per Hindu rites and ceremonies. No child was born out of the said wedlock. It is stated that due to disputes and differences which had arisen between the parties, both the parties started living separately from each other since 12.08.2019. On the complaint of respondent no. 2, an FIR bearing no. 0383/2022 was registered at Police Station Dabri, Delhi against the petitioners for offence punishable under Sections 498A/406/34 of IPC. It is stated that both the parties have amicably and voluntarily settled their disputes before Counselling Cell, Dwarka Court, Delhi *vide* Settlement Agreement dated 08.08.2023 and have obtained decree of divorce by way of mutual consent.

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 before Counselling Cell, Dwarka Court, Delhi *vide* Settlement Agreement dated 08.08.2023. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.

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. The petitioner no. 1 had paid a sum of Rs. 12,00,000/- in three



installments in the following manner:

- a. First installment of Rs.4,00,000/- paid to respondent no. 2 in the first motion petition.
- b. Second installment of Rs.4,00,000/- paid to respondent no. 2 at the time of second motion.
- c. Third/Final installment of Rs.4,00,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

10. Today, the complainant who is present in Court states that she has received the last and final installment of Rs.4,00,000/- today, i.e., 07.05.2024 *vide* DD No. 024029 drawn on State Bank of India and has no objection if the FIR is quashed.

11. 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.

12. Accordingly, FIR bearing no. 0383/2022, registered at Police Station Dabri, Delhi for the offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 7, 2024/zp

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