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

+ **CRL.M.C. 3671/2024**

SANJEEV SHARMA AND ORS.

..... Petitioners

Through: Ms. Seeta Kumari Mishra, Ms.
Deeksha Mishra and Mr. Deepak
Sharma, Advocates

versus

STATE NCT OF OF DELHI AND ANR.

..... Respondents

Through: Mr. Satish Kumar, APP for the State
with Mr. Zeb Hasan, Mr. Ashok
Kumar Shukla, Mr. Karmesh, and Mr.
Vikrant Singh Nayak, Advocates and
with SI Harsh, P.S. Sultanpuri.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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08.05.2024

CRL.M.A. 14068/2024 (exemption)

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

CRL.M.C. 3671/2024

3. The instant petition under 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. 860/2018, registered at Police Station Sultanpuri, 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. Satish Kumar, learned APP accepts notice on behalf of State.

5. All petitioners are present before this Court and have been identified by their counsel Ms. Seeta Kumari Mishra and Investigating Officer (IO) SI Harsh from Police Station Sultanpuri, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 19.03.2010 as per Hindu rites and ceremonies. One 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 10.05.2017. On the complaint of respondent no. 2, an FIR bearing no. 860/2018 was registered at Police Station Sultanpuri, 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 Mediation Centre Rohini Courts, Delhi *vide* Settlement Agreement dated 18.11.2022 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 *vide* Mediation Centre Rohini Courts, Delhi *vide* Settlement Agreement dated 18.11.2022. 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 settlement agreement mentions that the settlement will not affect the rights of the minor child in any manner. The settlement has been filed on record. The parties state that they will bound by the settlement agreement. The respondent no. 2 herein states that she has received the documents of the property mentioned in para no. 2 of the Settlement Agreement and states before this Court that she has seen the documents which she received and has no objection if the 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. 860/2018, registered at Police Station Sultanpuri, Delhi for the offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 8, 2024/zp

Click here to check corrigendum, if any