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

+ **CRL.M.C. 3785/2024**

MOHIT SINDHWANI & ORS.

..... Petitioners

Through: Mr. Sanjeev Bisla, Mr. Vijay Datt
Gahtori and Mr. Rishabh Rai,
Advocates alongwith petitioners in
person

versus

**STATE OF NCT OF DELHI THROUGH SHO
PS RANI BAGH & ANR.**

..... Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with Mr. Divyam Rai, Mr.
Puneet Aggarwal, Mr. Lalit Kumar,
Advocates and ASI Devender Singh,
P.S. Rani Bagh, Delhi
Mr. Saurabh Kumar, Ms. Tara Singh
Bisht, Mr. Priyank Kharkwal and Mr.
Samir Gautam, Advocates for R-2
alongwith R-2 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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10.05.2024

CRL.M.A. 14474/2024 (exemption)

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

CRL.M.C. 3785/2024

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. 1321/2022 registered at Police Station Rani Bagh, Delhi for offences punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (‘IPC’).

4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.

5. All petitioners are present before this Court and have been identified by their counsel Mr. Sanjeev Bisla and Investigating Officer (IO) ASI Devender Singh from Police Station Rani Bagh, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 08.01.2019 as per Hindu rites and ceremonies. No child was born out of the said wedlock. It is stated that due to some temperamental differences which had arisen between the parties, both the parties started living separately from each other since 20.05.2022. Thereafter, on 27.05.2022, respondent no. 2 had filed a complaint case under Section 12 PWDV Act and proceedings under Section 125 of Cr.P.C. vide MT Case 400/2022. It is further stated that an FIR bearing no. 1321/2022 was registered at Police Station Rani Bagh, 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 *vide* Settlement Deed dated 11.03.2024 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* Settlement Deed dated 11.03.2024.



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.35,00,000/- in three installments in the following manner:

- a. First installment of Rs.15,00,000/- paid to respondent no. 2 in the first motion petition.
- b. Second installment of Rs.10,00,000/- paid to respondent no. 2 at the time of second motion.
- c. Third/Final installment of Rs.10,00,000/- 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.10,00,000/- today, i.e., 10.05.2024 *vide* DD No. 838081 drawn on Punjab National Bank, Vardhman Big Plaza, Rani Bagh, Delhi-110034 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. 1321/2022 registered at Police Station Rani Bagh, Delhi for 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 10, 2024/ns

Click here to check corrigendum, if any