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

+ **W.P.(CRL) 1502/2024 & CRL.M.A. 14627/2024**

ANKIT DHUPAR & ORS.

.....Petitioners

Through: Mr. Karan Bir Singh, Advocate with
P-1 & 2 in person & P-3 & 4 through
VC.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Anand V. Khatri, ASC, Crl. for
State.
S.I. Udai Singh, PS Saket, Delhi.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **10.07.2024**

CRL.M.A. 14626/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 1502/2024

3. The present Petition under Article 226 of the Constitution of India read with Section 482 of Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners seeking to quash the FIR No. 0375/2022 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Saket, South.
4. Issue notice.
5. Mr. Anand V. Khatri, learned Additional Standing Counsel appearing



on advance notice, accepts notice on behalf of the State.

6. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 02.12.2009 according to Hindu rites and ceremonies and no child born from the said wedlock.

7. It is further submitted that on 06.10.2022 on the complaint of respondent No. 2, an FIR bearing No. 0375/2022 under Sections 498A/406/34 of the IPC, 1860 got registered at Police Station Saket, South, Delhi.

8. It is submitted that the parties, with the mutual consent, have amicably settled all the disputes and differences between them *vide* Memorandum of Settlement Deed dated 02.01.2024 which *inter alia* states that: -

- (i) That the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent under Section 13(B) of the Hindu Marriage Act, 1955,
- (ii) A total sum of Rs. 20,00,000/- shall be paid to the respondent No. 2/wife by the petitioner No. 1 towards her full and final amount of all the claims,
- (iii) First instalment of Rs. 7,00,000/- shall be paid at the time of recording of statement of First Motion Petition under Section 13(B) of the Hindu Marriage Act, 1955,
- (iv) Second instalment of Rs. 6,00,000/- shall be paid at the time of recording of statement of Second Motion Petition under Section 13(B) of the Hindu Marriage Act, 1955,
- (v) The third and final instalment of Rs. 7,00,000/- shall be paid at the time quashing of FIR,



(vi) That all the pending cases against the petitioners shall be withdrawn by the respondent No. 2.

9. It is further stated that Rs. 13,00,000/- has already been paid by the petitioner No. 1 to the respondent No. 2 viz., the aforesaid two instalments.

10. It is also stated that on 25.04.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

11. In view of the Memorandum of Settlement Deed dated 02.01.2024, the present petition has been filed.

12. The petitioner Nos. 1 and 2 and respondent No. 2 are present before this Court in-person today, whereas the petitioner Nos. 3 and 4 have appeared through video conferencing and they have been identified by their counsel and Investigating Officer concerned.

13. The third instalment of Rs. 7,00,000/- has been paid to the respondent No. 2/wife by the petitioner No. 1 today, *vide* Manager's Cheque No. 029480 dated 09.05.2024 made in favour of the respondent No. 2/Geetali Taneja, drawn on HDFC Bank, DLH East Patel Nagar Branch, Delhi and the same has been accepted by the respondent No. 2/wife.

14. The parties have submitted that all the disputes have been amicably settled *vide* Memorandum of Settlement Deed dated 02.01.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

15. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

16. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no



objection if the FIR is quashed.

17. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

18. Moreover, there is no legal impediment in quashing the FIR in question.

19. Accordingly, FIR bearing No. 0375/2022 registered at Police Station Saket, South, Delhi, for offences punishable under Sections 498A/406/34 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

20. The petition along with pending application stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 10, 2024

S.Sharma