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

+ **CRL.M.C. 3993/2024**

BHARAT BHUSHAN & ORS. Petitioners

Through: **Mr. Praveen Tokas, Advocate.**

versus

STATE NCT OF DELHI & ANR. Respondents

Through: **Mr. Naresh Kumar Chahar, APP for
the State with Mr. Pulkit, Mr. Naman
Jain & Mr. Lalit Kumar, Advocates.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **17.05.2024**

CRL.M.A. 15206-07/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioner seeking quashing of the case arising out of FIR bearing No. 352/2020, registered at Police Station Burari, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Learned APP appearing on behalf of the State accepts notice.
5. All the petitioners are present before this Court, and have been identified by their counsel Mr. Praveen Tokas and Investigating Officer concerned.



6. Brief facts of the case are that the marriage between the petitioner and respondent no. 2 was solemnized at Haryana, according to Hindu rites and customs. It is further stated that due to temperamental differences between petitioner no. 1 and respondent no. 2, both of them started staying separately. On the complaint of respondent no.2, the above-said FIR got registered at Police Station Burari, against the petitioner and his family members. It is further stated that *vide* settlement dated 03.10.2023, the parties have mutually settled the dispute between them. As per the said settlement agreement, it was agreed that petitioner no. 1 shall pay a total sum of Rs. 2,00,000 in three instalments. It is further stated that on 14.10.2023, the petitioner no. 1 had paid a sum of Rs. 1,00,000 to the respondent no. 2 at the time of recording of their statement in the First Motion, which was recorded before the learned Principal Judge, Family Court, Tis Hazari Complex, Delhi, in HMA No. 1876/2023. Thereafter, the petitioner had paid a sum of Rs. 1,00,000 to respondent no. 2 at the time of recording of their statement in the second motion. In view of the above settlement arrived at between the parties, the present petition for quashing of FIR has been filed.

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 agreement dated 03.10.2023.

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. Today, the complainant who is present in Court states that she has received all amounts due to her and has no objection if the FIR is quashed.

10. 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, this Court is of the opinion that no useful purpose will be served by continuing 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. Moreover, there is no legal impediment in quashing the FIR in question.

11. Accordingly, FIR bearing No. 352/2020, registered at Police Station Burari, for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 17, 2024/at

Click here to check corrigendum, if any