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

+ **W.P.(CRL) 1571/2024**

**ATUL SHARMA & ORS.**

**..... Petitioners**

Through: Ms. Prachi Sharma, Mr. Prakhyat Sharma, Mr. Sanchit Sharma and Mr. R. Rana, Advs. with petitioners in person.

**versus**

**STATE GOVT OF NCT OF DELHI AND ANR ..... Respondents**

Through: Ms. Rupali Bandhopadhyaya, ASC for State with Mr. Abhijeet Kumar and Mr. Sagar Mehlawat, Advs. with Insp. Vikas Malik P.S. M.S. Park and ASI Vikram Singh P.S. Karawal Nagar Respondent no. 2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

**17.05.2024**

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**CRL.M.A. 15270/2024 (exemption)**

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

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3. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.403/2015 under Sections 498A/406/313/34 IPC registered at Police Station Mansarovar Park, Delhi and all consequential proceedings



emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. The learned ASC for the State accepts notice. She submits that since the present FIR is an offshoot of a matrimonial discord between the parties and they have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

5. The petitioner no. 1 (former husband), petitioner nos. 2 – 4, who are close relatives of petitioner no. 1, as well as, respondent nos. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer Insp. Vikas Malik P.S. M.S. Park and ASI Vikram Singh P.S. Karawal Nagar.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 08.05.2014 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 21.10.2015. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Mediation Centre, Karkardooma Courts, New Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 31.08.2019, which is annexed as Annexure P-3 to the present petition.

9. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 04.10.2019, which is annexed as Annexure P-4 to the present petition.



10. It is a term of the settlement that the respondent no.2 has given up all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc.
11. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.
12. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.
13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
14. Consequently, the petition is allowed and the FIR No.403/2015 under Sections 498A/406/313/34 IPC registered at Police Station Mansarovar Park, Delhi alongwith all other proceedings emanating therefrom, is quashed.
15. The petition stands disposed of in the above terms.
16. Order be uploaded on the website of this court.

**VIKAS MAHAJAN, J**

**MAY 17, 2024**  
**N.S. ASWAL**