



\$~134

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

+ **W.P.(CRL) 1601/2024**

SANJAY JEENA & ORS.

..... Petitioners

Through: Mr. Ashutosh Kumar Pandey and Mr.
Rohan Kundu, Advs.

versus

STATE OF NCT DELHI & ANR.

..... Respondents

Through: Mr. Sanjay Lao, SC for State with
Ms. Priyam Aggarwal, Adv. with SI
Naresh Kumar, PS. BHD Nagar with
ASI Rakesh Kumar (I.O), PS. Dwarka
North.

Mr. Neeraj Kumar, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

20.05.2024

CRL.M.A. 15498/2024 (exemption)

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

W.P.(CRL) 1601/2024

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.907/2020 under Sections 498A/406/34 IPC registered at Police Station Baba Haridas Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.



5. The petitioner nos.1 (former husband) and the petitioner nos. 2 to 4, who are close relatives of petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Naresh Kumar, PS. BHD Nagar with ASI Rakesh Kumar (I.O), PS. Dwarka North.
6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 07.02.2018 according to Hindu Rites and Customs. Out of the said wedlock, one girl child namely, Aditi was born on 19.11.2018, who is presently in the care and the custody of the respondent no.2/mother.
7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. September 2019. 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, Dwarka Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 17.10.2023, which is annexed as Annexure B 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 15.01.2024, which is annexed as Annexure C to the present petition.
10. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.22 lacs to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future)



etc. The entire settlement amount has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement.

11. The receipt of entire amount of Rs.22 lacs is acknowledged by the respondent no.2, who is present in court.

12. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

13. 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.

14. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

15. Consequently, the petition is allowed and the FIR No.907/2020 under Sections 498A/406/34 IPC registered at Police Station Baba Haridas Nagar alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.

17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 20, 2024/dss