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

+ **CRL.M.C. 4172/2024**

SH SUNIL SHARMA AND OTHERS

..... Petitioners

Through: Mr Sunil Kumar Tomer and Mr
Naved Khan, Advocates.

versus

THE STATE OF NCT DELHI AND OTHERS

..... Respondents

Through: Mr Hitesh Vali, APP for the State
with SI Rajeev, PS Neb Sarai.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

21.05.2024

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CRL.M.A. 15829/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4172/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0582/2018 under Sections 498A/406/34 IPC registered at Police Station Neb Sarai and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. 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.

4. The petitioner no.1 (former husband) and petitioner nos.2 to 5, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (former



wife) are present in the Court and they have been identified by the learned counsel for the petitioner and by the Investigating Officer SI Rajeev, PS Neb Sarai.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 19.02.2017 according to Hindu Rites and Customs. No child was born out of the said wedlock.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately since October, 2017. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 06.01.2020, a copy of which is annexed as Annexure P-2 to the present petition.

8. 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 09.03.2022, a copy of which is annexed as Annexure P-4 to the present petition.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.1,70,000/- 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 to the respondent no.2 by the petitioner no.1.

10. The receipt of entire amount of Rs.1,70,000/- is acknowledged by the respondent no.2, who is present in court.



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.0582/2018 under Sections 498A/406/34 IPC registered at Police Station Neb Sarai 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 21, 2024
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