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

+ **CRL.M.C. 4277/2024**

KARAN SINGH KASHYAP

..... Petitioner

Through: Mr Rajbir Singh Sagar and Mr Rajiv
Pratap Singh, Advocates along with
petitioner in person.

versus

**THE STATE(GOVT OF NCT OF DELHI)
AND ANR**

..... Respondents

Through: Mr Hitesh Vali, APP for the State
with ASI Raj Kumar, PS Seemapuri.
Mr Parmanand, Advocate for
respondent no.2 along with
respondent no.2 in person.

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

ORDER
24.05.2024

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CRL.M.A. 16247/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4277/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0426/2016 under Sections 498A/506/34 IPC registered at Police Station Seemapuri, Delhi 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 (former husband), 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 ASI Raj Kumar, PS Seemapuri.
5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 22.04.2009 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Dimpi was born.
6. On account of temperamental issues certain disputes arose between the parties and they started living separately since 2010. The dispute between the parties also led to the registration of present FIR.
7. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 20.10.2023, a copy of which is annexed as Annexure P-2 to the present petition.
8. It is mentioned in the settlement that the petitioner and the respondent no.1 have already divorced *vide* ex parte judgment and decree dated 01.07.2017 passed by the then learned Additional Judge, Family Court, Dehradun, Uttarakhand.
9. It is a term of the settlement between the parties that the petitioner shall pay a total sum of Rs.5,75,000/- 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. Out of the said amount, a sum of Rs. 2,75,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.3,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of two demand drafts, the details of which are as under:-

- a) DD no.000457 dated 09.05.2024 issued by IDBI Bank Ltd. Post Karbaari Grant, Tehsil, Vikas Nagar, Dehradun in favour of the respondent no.2.
- b) DD no.000458 dated 09.05.2024 issued by IDBI Bank Ltd. Post Karbaari Grant, Tehsil, Vikas Nagar, Dehradun in favour of the minor child of parties, namely, Dimpi.

10. The receipt of entire amount of Rs.5,75,000/- 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.0426/2016 under Sections 498A/506/34 IPC registered at Police Station Seemapuri, 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.

MAY 24, 2024
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VIKAS MAHAJAN, J