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

+ **W.P.(CRL) 2341/2023**

MUKESH MALIK & ORS.

..... Petitioners

Through: Mr. Prakash Kumar Singh, Mr. Vishnu Kant Pandey, Mr. Simanta Kumar and Mr. Prabhat Kumar Singh, Advocates

versus

THE STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Anand V. Khatri, ASC for the State with SI Vijay Dutt, P.S. Laxmi Nagar.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

16.01.2024

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1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the petitioners seeking quashing of FIR bearing no. 324/2015, registered at Police Station Shakarpur, New Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Anand V. Khatri, learned ASC accepts notice on behalf of the State.
3. All the petitioners are present before this Court and have been identified by their counsel Mr. Prakash Kumar Singh and Investigating



Officer (IO) SI Vijay Dutt from Police Station Laxmi Nagar, Delhi.

4. Brief facts of the case are that the marriage of the petitioner no. 1 and respondent no. 2 was solemnized on 21.01.2014 as per Hindu Rites and Ceremony at Delhi. No child was born out of the said wedlock. It is stated that respondent no. 2 started living separately from petitioner no.1 since 13.05.2014. On the complaint of respondent no. 2, the present FIR bearing no. 324/2015, was registered at Police Station Shakarpur, New Delhi for offences punishable under Sections 498A/406/34 of IPC against the petitioners. It is also stated that the entire dispute has been amicably settled between the parties before Delhi Mediation Centre, Karkardooma Courts, Delhi *vide* Settlement Deed dated 18.03.2023.

5. 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 before Delhi Mediation Centre, Karkardooma Courts, Delhi *vide* Settlement Deed dated 18.03.2023 entered into between them.

6. 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.

7. The petitioner no. 1 had paid a sum of Rs. 40,000/- in two installments in the following manner:

a. First installment of Rs.10,000/- paid to respondent no. 2 at the time of mediation.



b. Second/Final instalment of Rs.30,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

8. Today, the complainant who is present in Court states that she has received the last and final instalment of Rs.30,000/- today, i.e., 16.01.2024 vide Paytm Payments Bank (UPI Reference No. 401643431738) and has no objection if the FIR is quashed.

9. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 324/2015, registered at Police Station Shakarpur, New Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. The petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 16, 2024/zp

[Click here to check corrigendum, if any](#)