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

+ **CRL.M.C. 4350/2024 & CRL.M.A. 16513/2024 (Stay)**

CHETAN HANSRAJ SINGH & ORS.

..... Petitioners

Through: **Mr. Braj Kishore Roy & Mr. Yash Chandel, Advocates.**

versus

STATE (GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: **Mr. Raghuvinder Verma, APP for the State.**

SI Vikrant, P.S.: Kalkaji.

Mr. Girish Kargeti & Mr. Ashok Kumar, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
27.05.2024

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CRL.M.A. 16514/2024 (exemption)

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

CRL.M.C. 4350/2024

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ("Cr.P.C.") has been filed on behalf of the petitioner seeking quashing of the case arising out of FIR bearing No. 835/2021, registered at Police Station Kalkaji, Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Raghuvinder Verma, learned APP accept notice on behalf of the State.



5. Brief facts of the present case are that petitioner no. 1 and respondent no. 2 got married on 09.07.2018, according to Hindu rites and ceremonies, at Orchid Grand Banquet, Delhi. It is stated that on 18.09.2019, the petitioner no. 1 and respondent no. 2 got separated from each other. It is stated that no child was born out of the said wedlock. It is stated on 27.02.2021, on the complaint of respondent no. 2, the said FIR got registered at Police Station Kalakji. On 29.04.2022, the decree of divorce was passed by the learned Additional Principal Judge, Family Court-03, Agra, Uttar Pradesh in Matrimonial Case NO. 751/2021. It is stated that on 18.03.2024, an MOU was arrived at between the parties, and all the disputes and claims between the parties had been withdrawn. On 28.03.2024, first instalment of Rs. 7,00,000 out of Rs. 14,00,000, has already been paid by the petitioner to the respondent, on withdrawal of Section 12 of the DV Act, 2005. It is stated that the remaining amount of Rs. 7, 00,000/- will be paid at the time of quashing of the said FIR. Hence, the present petition has been filed.

6. Some Petitioners are present before this Court in-person and some are present through *video-conferencing*, and have been identified by the Investigating Officer concerned.

7. On the 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 *vide* Memorandum of Understanding dated 18.03.2024 entered into between them.

8. 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.

9. Today, the complainant who is present in Court states that she has received the last and final instalment of Rs. 7 Lakhs today, i.e., 27.05.2024 *vide* DD No. 532207, 504837 & 202851 drawn on Kotak Mahindra Bank, Crossing Republik, Ghaziabad, Uttar Pradesh, and has no objection if the FIR is quashed.

10. 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.

11. Accordingly, FIR bearing No. 835/2021, registered at Police Station Kalkaji, Delhi, for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of. Pending application also stands disposed of.

13. The order be uploaded on the website forthwith.

MAY 27, 2024/at

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any