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

+ **CRL.M.C. 4494/2024**

ANKUR CHAUDHARY

..... Petitioner

Through: Mr Manoj Verma, Advocate
petitioner in person.

versus

**THE STATE GOVT. OF NCT OF DELHI
& ANR.**

..... Respondents

Through: Mr Hitesh Vali, APP for the State
with SI Vijay Pal Singh, PS CWC
Nanakpura.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

29.05.2024

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CRL.M.A. 16974/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4494/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0069/2017 under Sections 498A/406/34 IPC registered at Police Station Crime (Women) Cell Nanak Pura 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. He, however, refers to clause 4(b) and 4(f) of the Settlement dated 01.09.2022, to contend that the rights of the minor child have been compromised and, therefore, this Court may clarify the position.



4. Learned counsel for the petitioner, on instructions from the petitioner, who is present in the Court, states that the clauses 4(b) and 4(f) shall not impact the right of the minor child insofar as maintenance and inheritance is concerned. The said statement is taken on record.
5. 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 SI Vijay Pal Singh, PS CWC Nanakpura.
6. The brief facts of the case are that the marriage between the petitioner and respondent no. 2 was solemnized on 19.01.2014 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Ishika was born, who is in the care and custody of the respondent no.2.
7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 01.08.2015. 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 the Mediation Centre, Dwarka Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 01.09.2022, a copy of 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 19.08.2023, a copy of which is annexed as Annexure-D (Colly.) to the present petition.
10. It is a term of the settlement between the parties that the petitioner



no.1 shall pay a total sum of Rs.3 lakhs 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 lakhs 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. 1 lakh has been paid to the respondent no.2 today outside the Court by the petitioner no.1.

11. The receipt of entire amount of Rs.3 lakhs 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.0069/2017 under Sections 498A/406/34 IPC registered at Police Station Crime (Women) Cell Nanak Pura 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 29, 2024/MK