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

+ **W.P.(CRL) 1765/2024**

ASHISH JAIN & ORS.

..... Petitioner
Through: Mr. Ratnakar Maltiyar, Advocate
with petitioners in-person.

versus

STATE/ NCT OF DELHI & ANR.

..... Respondent
Through: Mr. Anand V. Khatri, ASC(Crl) for
the State.
SI Mohit Chahar & PSI Prashant,
P.S.: Vijay Vihar.
Mr. Nitish Kumar, Advocate for R-2
with R-2 in-person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **29.05.2024**

CRL.M.A. 17179/2024 (exemption)

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

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3. The present writ petition under Article 226 of the Constitution of India, has been filed on behalf of the petitioners seeking quashing of the case arising out of FIR bearing No. 780/2022, registered at Police Station Vijay Vihar, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').



4. Issue notice. Mr. Anand V. Khatri, learned ASC accepts 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 27.04.2022, according to Hindu rites and ceremonies. It is stated that on 06.08.2022, the petitioner no. 1 and respondent no. 2 started living separately due to various temperamental differences. No child was born out of the said wedlock. It is further stated that on 02.12.2022, on the complaint of respondent no. 2, an FIR bearing No. 780/2022 got registered. It is also stated that on 15.09.2023, the petitioner no. 1 and respondent no. 2 settled their disputes and a decree of divorce was mutually granted to them on 06.03.2024, by the Court of learned Principal Judge, North District, Rohini Court, Delhi. In view of the settlement, the present petition has been instituted.

6. All the petitioners are present before this Court and have been identified by their counsel Mr. Ratnakar Maltiyar and Investigating Officer SI Mohit Chahar, P.S.: Vijay Vihar.

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* Settlement Deed dated 15.09.2023 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. 1,50,000/- today, i.e., 29.05.2024 *vide* DD No. 436675 drawn on State Bank of India, Rohini, Delhi, 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. 780/2022, registered at Police Station Vijay Vihar, 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.

13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 29, 2024/at

Click here to check corrigendum, if any