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

+ **CRL.M.C. 4799/2024**

ASHISH KUMAR & ORS.

..... Petitioners

Through: **Ms. Vidhi Jain, Advocate.**

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: **Mr. Satinder Singh Bawa, APP for
the State with SI Antriksh Rathi, P.S.:
Mandawali.**

**Ms. Anamika Parashar & Mr. Karan
Wadhwa, Advocates for R-2.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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31.05.2024

CRL.M.A. 17956/2024 (exemption)

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

CRL.M.C. 4799/2024

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioners seeking quashing of the case arising out of FIR bearing No. 327/2018, registered at Police Station Mandawali Fazalpur, Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Satinder Singh Bawa, learned APP accepts notice on



behalf of the State.

5. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 27.11.2015, according to Hindu rites and customs, in Delhi. It is stated that due to disputes and differences, the parties started living separately from each other from 07.07.2017. It is further submitted that on the complaint of respondent no. 2, an FIR was registered against the petitioner no. 1 and his family members. It is stated that on 16.11.2018, the present FIR was lodged at P.S.: Mandawali Fazalpur, Delhi was registered and the chargesheet was filed. It is stated that on 09.12.2022, the matter was amicable settled between the parties, before the Mediation Centre, Karkardooma Courts, Delhi. It is also stated that on 23.12.2023, the second motion of divorce petition was allowed and divorce was granted to the parties, by the Court of Learned Principal Judge, Family Court, East District, KKD Court, Delhi. Hence, the present petition has been filed.

6. All the petitioners are present before this Court in-person and have been identified by their counsel and the Investigating Officer (I.O.) concerned.

7. 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.

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 all amounts due to her and has no objection if the FIR is quashed.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

11. Accordingly, FIR bearing No. 327/2018, registered at Police Station Mandawali Fazalpur, 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.

13. The order be uploaded on the website forthwith.

MAY 31, 2024/at

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any