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

+ **W.P.(CRL) 2603/2023**

NITIN CHANANA & ORS.

..... Petitioners

Through: Ms. Swati Rathi, Mr. Rohit Boora,
Ms. Chetishtha Malik and Mr. Vishal
Pawan Kumar, Advocates

versus

**STATE NCT OF DELHI THROUGH SHO P.S. BUDH VIHAR &
ANR.**

..... Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with IO, P.S. Budh Vihar, Delhi.
Mr. Prem Sood, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

24.01.2024

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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 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 60/2020 registered at Police Station Budh Vihar, Delhi, for offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Petitioners are present before this Court and have been identified by their counsel Ms. Swati Rathi and Investigating Officer (IO) from Police Station Budh Vihar, Delhi.
3. Brief facts of the case are that the marriage between petitioner no. 1



and respondent no. 2 was solemnized on 05.02.2018. No child was born out of the said wedlock. Due to temperamental differences, both the parties started living separately since 11.07.2018. On the complaint of respondent no. 2, the present FIR bearing no. 60/2020 was registered at Police Station Budh Vihar, Delhi, for offences punishable under Sections 498A/406/34 of IPC against the petitioners. It is stated that both the parties have dissolved their marriage on 16.01.2020. It is stated that the entire dispute has been amicably settled between the parties and has given her no objection certificate regarding the same.

4. On a query made by this Court, respondent no.2 (through VC) 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 and has given her no objection certificate regarding the same. It is stated that the remaining amount of Rs. 25,000/- has been handed over to her by way of demand draft. Respondent no. 2 further stated that she has no objection if the FIR is quashed.

5. 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.

6. 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.

7. Accordingly, FIR bearing no. 60/2020 registered at Police Station Budh Vihar, Delhi, for offence punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

8. The petition stands disposed of.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 24, 2024/zp

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