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

+ **W.P.(CRL) 2712/2023**

VIPIN KUMAR & ORS.

..... Petitioners

Through: Counsel (appearance not given) with
petitioners present through video-
conferencing.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with SI Rashmi, P.S.: Malviya
Nagar.

Mr. Gaurav Singh, Mr. Devrat Dalal,
Mr. Rahul Sharma & Mr. Vikas
Chaudhary, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **21.03.2024**

CRL.M.A. 25547/2023 (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, read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed by the petitioner seeking quashing of FIR bearing No. 433/2021, registered at Police Station Baba Haridas Nagar, New Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC').



4. Issue notice. Mr. Yasir Rauf Ansari, learned ASC appearing on behalf of the State accepts notice.
5. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 09.02.2019 according to Hindu rites and ceremonies. No child was born out of the said wedlock. It is stated that due to certain differences which had arisen between the parties, both the parties started living separately since 19.07.2019. It is stated that on the complaint of respondent no. 2, the present FIR was registered against the petitioners for the offences punishable under Sections 498A/406/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Agreement dated 14.10.2022. It is also stated that petitioner no. 1 and respondent no. 2 have been granted a decree of divorce on 16.02.2023. Hence the present petition is filed.
6. 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 *vide* Agreement dated 14.10.2022 and that they have obtained decree of divorce by mutual consent on 02.06.2023.
7. 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.
8. Today, the complainant who is present in Court states that she has no objection if the FIR is quashed.
9. 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.

10. Accordingly, FIR bearing no. 433/2021, registered at Police Station Baba Haridas Nagar, New Delhi, for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. The petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 21, 2024/at

Click here to check corrigendum, if any