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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4970/2024**
SATPAL SINGH DAHIYA & ANR.

.....Petitioners
Through: Mr. Dhananjai Kaushal, Advocate.

versus

STATE NCT OF DELHI AND ANR

.....Respondents
Through: Ms. Meenakshi Dahiya, Ld. APP.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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03.07.2024

CRL.M.A.19008/2024 (*under Section 482 Cr.P.C. seeking Exemption*)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 4970/2024

3. The present Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners seeking to quash the FIR No. 457/2019 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Kishangarh, Delhi.
4. Issue notice.
5. Ms. Meenakshi Dahiya, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between



petitioner No. 1 and respondent No. 2 on 04.03.1991 according to Hindu rites and ceremonies and two children namely Ms. Adete Dahiya and Mr. Siddhant Dahiya were born out of the said wedlock.

7. It is further submitted that on 19.12.2019, on the complaint of respondent No. 2, an FIR bearing No. 457/2019 under Sections 498A/406/34 of the IPC, 1860 got registered at Police Station Kishangarh, Delhi.

8. It is stated that the petitioner No. 1 and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Deed dated 23.12.2022 and addendum dated 07.02.2023, wherein it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No. 1/husband shall pay a sum of Rs. 15,14,000/- to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife. It is also stated that the petitioner No. 1 has already paid Rs. 10,00,000 to respondent No. 2/wife in two instalments viz., Rs. 5,00,000/- was paid at the time of recording of statements in First Motion Petition under Section 13(b) of the Hindu Marriage Act, 1955 and another Rs. 5,00,000/- was paid at the time of recording of statements in Second Motion Petition under Section 13(b)(2) of the Hindu Marriage Act, 1955.

9. It is further stated that the remaining sum of Rs. 5,14,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 457/2019.

10. It is also stated that on 12.03.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

11. In view of the Settlement Deed dated 23.12.2022, the present petition



has been filed.

12. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

13. The balance amount of Rs. 5,14,000/- has been paid to the respondent No. 2/wife by the petitioner No. 1 today, *vide* Bankers Cheque No. 436711 dated 02.07.2024 made in favour of the respondent No. 2/Manju Dahiya, drawn on State Bank of India, Sector-18, Rohini, and the same has been accepted by the respondent No. 2/wife.

14. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 23.12.2022 and thus, no fruitful purpose will be served in continuing with the FIR.

15. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 23.12.2022 and they also submit that the said Settlement Deed dated 23.12.2022 has been arrived at between the parties without any pressure and coercion.

16. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

17. 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, no useful purpose will be served in continuing with 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.

18. Moreover, there is no legal impediment in quashing the FIR in



question.

19. Accordingly, FIR bearing No. 457/2019 registered at Police Station Kishangarh, Delhi, for offences punishable under Sections 498A/406/34 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

20. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 3, 2024/va