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

+ **CRL.M.C. 5002/2024 & CRL.M.A. 19123/2024**

AMIT ARORA AND ANR

.....Petitioners

Through: **Mr. Robin Singh & Mr. Shahzad
Ansari, Advocates with petitioners in
person**

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: **Mr, Hitesh Wali, APPF for the State
with WSI Mona PS
Mr. Varun Malhotra, Mr. Akarshit
Tyagi, Mr,. Keshav Meena & Mr.,
Vishal Gupta, Advs. for R-2/Sakshi
Dawar.**

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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04.07.2024

1. This petition is filed for quashing of FIR No.457/2022 registered under Sections 498A/406/34 IPC at P.S. Mukherjee Nagar, Delhi on the basis of settlement arrived at between the parties with the facilitation of Delhi Mediation Centre, Rohini Courts, Delhi on 24th March 2023, which is on record of this Court.
2. Both petitioner nos.1 and 2, as also respondent no.2 are present in the Court, in person and are duly identified by the IO, as also by their respective counsels.
3. Petitioner no.1 and Respondent no.2 got married on 8th February 2018 and a female child was born out of wedlock. Subsequently, owing to some matrimonial disputes, they got separated on 29th July 2021 and



obtained a divorce with mutual consent on 3rd April 2024. Further, as per settlement dated 24th March 2024, custody of the minor daughter is to remain with petitioner no.1 husband.

4. As per the settlement a total sum of Rs.4,30,000/- is to be paid to respondent no.2 by petitioner no.1 towards full and final settlement; which is to be paid in three instalments. The first two instalments of Rs.1 lakh and Rs.1,50,000/- respectively have already been paid to respondent no.2., for the balance amount of Rs.1,80,000/-, Demand Draft No. 001206 dated 19th April 2024 drawn on Equitas Smart Finance Bank for a sum of Rs.1,80,000/- (Rupees One Lakh Eighty Thousand Only) is handed over to respondent no.2 in Court today; she acknowledges the same and states that she has no objection to quashing of the FIR.

5. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.457/2022 registered under Sections 498A/406/34 IPC at P.S. Mukherjee Nagar, Delhi and proceedings emanating therefrom are quashed.

6. It is however made clear that the said settlement will not affect the rights of the minor child in future.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of. Pending application is disposed of as infructuous.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 4, 2024/sm