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

+ **CRL.M.C. 5146/2024**

SHRI AMIT DHINGRA AND ORS

.....Petitioners

Through: Mr. Bir Singh, Advocate with
petitioners in person, except P-4 &
P-5 appearing through VC.

versus

THE STATE GOVT. OF N.C.T. DELHI AND ANRRespondents

Through: Mr. Satinder Singh Bawa, APP for
State.

Mr. Deepak Bhardwaj, Advocate for
R-2 with R-2 in person.

S.I. Yashpal Singh, PS Farsh Bazar,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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08.07.2024

1. 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. 0133/2020 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Farsh Bazar, Delhi.
2. Issue notice.
3. Mr. Satinder Singh Bawa, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. Mr. Deepak Bhardwaj, learned counsel appearing on advance notice,



accepts notice on behalf of the respondent No. 2.

5. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 13.12.2018 according to Hindu rites and ceremonies.

6. It is further submitted that on 24.03.2020 on the complaint of respondent No. 2, an FIR bearing No. 0133/2020 under Sections 498A/406/34 of the IPC, 1860 got registered at Police Station Farsh Bazar, Delhi.

7. It is submitted that with the intervention of the family and friends, the parties have amicably settled all the disputes and differences between them *vide* Settlement/Agreement dated 28.04.2023 in the Mediation Cell, Karkardooma Court, Delhi which *inter alia* states that: -

- (i) That the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent,
- (ii) A total sum of Rs. 14,50,000/- shall be paid to the respondent No. 2 by the petitioner No. 1 towards her full and final amount of all the claims,
- (iii) That Rs. 2,50,000/- shall be paid to the respondent No. 2 by the petitioner No. 1 at the time of execution of the Settlement/Agreement dated 28.04.2023,
- (iii) Second instalment of Rs. 4,00,000/- shall be paid at the time of recording of statement of First Motion Petition,
- (iv) Third instalment of Rs. 4,00,000/- shall be paid at the time of recording of statement of Second Motion Petition,
- (v) The fourth and final instalment of Rs. 4,00,000/- shall be paid at the time quashing of FIR,



(vi) That all the pending cases against the petitioners shall be withdrawn by the respondent No. 2.

8. It is further stated that Rs. 10,50,000/- has already been paid by the petitioner No. 1 to the respondent No. 2 viz., the aforesaid three instalments.

9. It is also stated that on 15.01.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

10. In view of the Settlement/Agreement dated 28.04.2023, the present petition has been filed.

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

12. The four instalment of Rs. 4,00,000/- has been paid to the respondent No. 2/wife by the petitioner No. 1 today, *via* RTGS and the same has been acknowledged by the respondent No. 2/wife.

13. The parties have submitted that all the disputes have been amicably settled *vide* Settlement/Agreement dated 28.04.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

14. 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 and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

15. 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.

16. 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.

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

18. Accordingly, FIR bearing No. 0133/2020 registered at Police Station Farsh Bazar, Delhi, for offences punishable under Sections 498A/406/34 of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

19. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 8, 2024
S.Sharma