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

+ **CRL.M.C. 5243/2024**

DHAWAL ABHIMANYU & ORS.Petitioners

Through: Mr. V.K. Doohan, Advocate with
petitioners.

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State with SI Bharat Singh, PS
Uttam Nagar.
Mr. R.K. Bhardwaj, Advocate for R2
with R2 from VC.

**CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER
11.07.2024**

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1. The Petition under Article 227 of the Constitution of India read with 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. 139/2023, registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*), registered at Police Station Uttam Nagar, New 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. Brief facts of the case are that the marriage was solemnized between



petitioner No. 1 and respondent No. 2 on 28.01.2022, according to Hindu rites and ceremonies and no child was born out of the said wedlock.

5. It is further submitted that on 26.03.2023, on the complaint of respondent No. 2, an FIR bearing 139/2023, under Sections 498A/406/34 of the IPC, got registered at Police Station Uttam Nagar, New Delhi.

6. 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 09.12.2023 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 further stated that the petitioner No. 1/husband shall pay a sum of Rs. 25,000/- towards full and final settlement of all the claims of the respondent No. 2/wife and the aforesaid amount shall be paid at the time of recording statement of the parties in first motion under Section 13B(1) HMA.

7. It is also stated that on 03.05.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

8. In view of the Settlement Deed dated 09.12.2023, the present petition has been filed.

9. The petitioner No. 1 is present in this Court in-person today, and has been identified by his counsel and Investigating Officer concerned while the respondent No. 2 has joined through video conferencing.

10. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 09.12.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

11. 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 09.12.2023 and they also submit that the said Settlement Deed dated 09.12.2023 has been arrived at between the parties without any pressure and coercion.

12. Today, the complainant/respondent No. 2/wife, who has joined through video conferencing, states that she has received all amounts due to her and has no objection if the FIR is quashed.

13. 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.

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

15. Accordingly, FIR bearing 139/2023, under Sections 498A/406/34 of the IPC got registered at Police Station Uttam Nagar, New Delhi and all consequential proceedings emanating therefrom are quashed.

16. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 11, 2024/RS