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

+ **CRL.M.C. 5284/2024**

KRISHNA KUMAR AND OTEHRS

.....Petitioner

Through: Mr. Uttam Singh, Advocate with P-1
and P-2 in person.

versus

THE STATE (NCT OF DELHI) AND ANOTEHRS

.....Respondent

Through: Mr. Satinder Singh Bawa, Ld. APP
for State with SI Paramjeet P.S.
Ranhola.
Mr. Yashvir Singh Kadian, Advocate
for R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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12.07.2024

CRL.M.A. 20213/2024 (Seeking Exemption)

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

CRL.M.C. 5284/2024

3. The 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. 484/2022, registered under Sections 406/498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Ranhola.



4. Issue notice.
5. Mr. Satinder Singh Bawa, 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 08.02.2015, according to Hindu rites and ceremonies and twin daughters were born out of the said wedlock, but both died within some days of delivery.
7. It is further submitted that on 14.06.2022, on the complaint of respondent No. 2, an FIR bearing No. 484/2022, registered under Sections 406/498A/34 of the Indian Penal Code, 1860, got registered at Police Station Ranhola. The respondent No.2/wife has also filed a Petition under Section 125 Cr.P.C against petitioner No.1/husband and a case under Section 12 of D.V. Act against Petitioner No.1 to 5.
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 vide Memorandum of Understanding (MoU) dated 09.11.2023 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. 9,50,000/- towards full and final settlement of all the claims of the respondent No. 2/wife, in four instalments by way of Cash/DD/Pay Order. It is also stated that the petitioner No. 1 has already paid Rs. 2,00,000/- to respondent No. 2/wife in cash on 09.11.2023 at the time of signing of Memorandum of Understanding; Rs.2,50,000/- has been paid at the time of recording of statement in the first motion under Section 13(B)(1) of Hindu Marriage Act, 1955 before the Family Court, West District, Tis



Hazari Courts, Delhi; Rs.2,50,000/- has been paid at the time of recording of statement in second motion under Section 13(B)(2) of the Hindu Marriage Act, 1955 before the Family Court, West District, Tis Hazari Courts, Delhi and Rs.2,50,000/- at the time of quashing of the FIR No.484/2022, Police Station Ranhola.

9. It is also stated that on 01.04.2024, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

10. In view of the Settlement Deed dated 09.11.2023, 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. A sum of Rs. 2,50,000/-, i.e the balance amount, has also been handed over to the respondent No. 2/wife by the petitioner No. 1 and the same has been accepted by the respondent No. 2/wife.

13. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 09.11.2023 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 arrived at *vide* Settlement Deed dated 09.11.2023 and they also submit that the said Settlement Deed dated 09.11.2023 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 No. 484/2022 for the offence punishable under Sections 406/498A/34 of IPC, 1860, Registered at Police Station Ranhola and all consequential proceedings emanating therefrom are quashed.

19. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 12, 2024/va