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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5492/2024**
SH. CHIRAG YADAV AND ORS

.....Petitioner
Through: Ms. Anupriya Yadav, Advocate for
P1 to P3.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents
Through: Mr. Satinder Singh Bawa, Ld. APP
with SI Neeraj Kumar P.S. Subhash
Place.
Mr. Saket Gakhar, Advocate for R-2
along with R-2 in person.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **22.07.2024**
CRL.M.A. 20987/2024 (Seeking Exemption)

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

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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. 484/2018, registered under Sections 498A/406/506/34 of the Indian Penal Code, 1860 (*hereinafter*



referred to as “IPC, 1860”) and Section 4 D.P. Act at Police Station Subhash Place.

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 07.05.2017, according to Hindu rites and ceremonies and no child was born out of the said wedlock.

7. It is further submitted on the complaint of respondent No. 2, an FIR bearing No. 484/2018, registered under Sections 406/498A/506/34 of the Indian Penal Code, 1860 and Section 4 D.P. Act, got registered at Police Station Subhash Place.

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 08.12.2023 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 stated that petitioner No. 1/husband shall pay a sum of Rs. 6,00,000/- towards full and final settlement of all the claims of the respondent No. 2/wife by way of DD/Pay Order. It is also stated that the petitioner No. 1 has already paid Rs. 4,00,000/- to respondent No. 2/wife at the time of recording of statements in First Motion Petition under Section 13(b) and 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. 2,00,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 484/2018.



10. It is also stated that on 27.04.2024, 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 08.12.2023, 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. A sum Rs. 2,00,000/-, i.e the balance amount, has been handed over to the respondent No. 2/wife by the petitioner No. 1 today i.e. 22.07.2024 *vide* DD No. 780959 dated 19.07.2024 made in favour of the respondent No. 2/Reena Yadav, drawn on SBI Bank, Banagalore 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 08.12.2023 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 08.12.2023 and they also submit that the said Settlement Deed dated 08.12.2023 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 No. 484/2018 for the offence punishable under Sections 406/498A/506/34 of IPC, 1860 and Section 4 D.P. Act, Registered at Police Station Subhash Place and all consequential proceedings emanating therefrom are quashed.

20. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 22, 2024/va