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

+ **W.P.(CRL) 3088/2023**

KULDEEP AND ORS

..... Petitioner

Through: Mr. Mahesh Kumar Sharma,
Advocate.

versus

STATE NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Anand V. Khatri, ASC for the
State.
Mr. Deepak Sharma, Advocate for R-
2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

09.01.2024

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1. The present writ petition under Article 226 of the Constitution of India, read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioner, seeking quashing of FIR bearing no. 0260/2022, dated 11.02.2022, registered at Police Station Sultan Puri, Delhi for offences punishable under Sections 498A/406/377/34 of the Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Anand V. Khatri, learned ASC accepts notice.
3. Petitioners are present before this Court and have been identified by his counsel Mr. Mahesh Kumar Sharma and the Investigating Officer from Police Station Sultan Puri, Delhi.
4. Brief facts of the case are that on 07.12.2019, the marriage was solemnized between the petitioner and respondent no. 2, as per Hindu rites



and ceremonies at Delhi. Due to certain temperamental differences on 07.10.2020, respondent no. 2 left their matrimonial house and since then they have been residing separately. In 2020, respondent no. 2 had filed a complaint before CAW cell, Pitam Pura, Delhi. On the basis of the said CAW cell complaint, the present FIR was registered against the petitioner and his other family members. It is stated that petitioner no. 1 and respondent no. 2 came to an amicable settlement for a total amount of Rs. 1,50,000/- payable in three instalments. On 04.05.2022, the parties have obtained divorce from the Court of learned Principal Judge, Rohini Courts, Delhi. Hence, the present petition for quashing of the subject FIR has been instituted.

5. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, *stridhan*, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with petitioner No.1 and other family members.

6. Today, the complainant, i.e. prosecutrix, who is present in Court states that she has received all the amount, and that the accused/ petitioner has paid a sum of Rs. 50K through UPI today & she has received all amount for settlement & henceforth has no objection if the FIR is quashed.

7. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

8. Accordingly, FIR bearing No. 0260/2022, dated 11.02.2022,



registered at Police Station Sultan Puri, for offences punishable under Sections 498A/406/377/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

9. The petition stands disposed of.
10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 9, 2024/at

[Click here to check corrigendum, if any](#)