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

+ **W.P.(CRL) 3106/2023**

KASHISH WADHWA

..... Petitioner

Through: Mr. Vijay Tangri, Advocate
alongwith petitioner in person

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with SI Suraj, P.S. Mehrauli.
Respondent no. 2 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
06.03.2024

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1. The instant 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 petitioners seeking quashing of FIR bearing no. 308/2023 registered at Police Station Mehrauli, Delhi for offences punishable under Sections 498A/406/506/323/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Petitioner is present before this Court and has been identified by his counsel Mr. Vijay Tangri and Investigating Officer (IO) SI Suraj from Police Station Mehrauli, Delhi.
3. Brief facts of the present case are that the marriage between petitioner and respondent no. 2 was solemnized on 20.11.2021 according to Hindu



rites and ceremonies. No child was born out of the said wedlock. It is stated that due to certain differences which had arisen between the parties, both the parties started living separately since 26.07.2022. It is stated that on the complaint of respondent no. 2, the present FIR bearing no. 308/2023 was registered at Police Station Mehrauli, Delhi against the petitioner for the offences punishable under Sections 498A/406/506/323/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes before Mediation Centre, Saket Courts, New Delhi *vide* Settlement Agreement dated 02.08.2023.

4. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties before Mediation Centre, Saket Courts, New Delhi *vide* Settlement Agreement dated 02.08.2023 and that they have obtained decree of divorce by mutual consent.

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.

6. Today, the complainant who is present in Court states that she 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. 308/2023 registered at Police Station Mehrauli, Delhi for offences punishable under Sections 498A/406/506/323/34 of 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

MARCH 6, 2024/ns

Click here to check corrigendum, if any