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

+ **CRL.M.C. 5713/2024**

VIVEK GADEKAR

.....Petitioner

Through: **Ms. Geetanjali Borah (D-242/2007),
Advocate.**

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: **Mr. Shoaib Haider, APP for the State
SI Ghan Shyam
Mr. Harish K. Malhotra (D-353/2008)
and Mr. Parveen K., Advocates for R-
2.**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **26.07.2024**

CRL.M.A. 21822/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5713/2024

1. The present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 has been filed by the Petitioners for quashing FIR No.74/2018 dated 18.09.2018, registered at Police Station Crime (Women) Cell Nanak Pura for offences punishable under Sections 498A/406/34 IPC. The present FIR is the outcome of a matrimonial dispute between the parties.
2. The Respondent No.2 is the complainant and the Petitioner is the husband of the complainant.
3. The principal ground on which the present petition has been filed is



that the parties have amicably settled their disputes. It is stated that in terms of the Settlement Deed dated 11.04.2023, the parties filed a petition for divorce by mutual consent before the Ld. Principal Judge, Family Courts, (HQ), South-West, Dwarka, Delhi and by a Judgment and Decree dated 12.01.2024, the marriage between the complainant/Respondent No.2 and the Petitioner/husband stands dissolved. It is further stated in the petition that under the settlement, the Petitioner No.1/husband has agreed to pay a sum of Rs.6,50,000/- to the complainant/Respondent No.2 towards the full and final settlement of all her claims. It is stated by the Respondent No.2/complainant, who has joined the proceedings through Video Conferencing, that she has received the entire amount of Rs.6,50,000/- from Petitioner/husband.

4. Today, the Petitioner is present in Court and the Respondent No.2/complainant has joined the proceedings through video conferencing. The Petitioner has been identified by his Counsel and the Investigating Officer. The Respondent No.2/complainant has been identified by her Counsel and the Investigating Officer. The Complainant/Respondent No.2 states that she has settled all her matrimonial disputes with the Petitioner out of her own free will, without pressure, coercion or undue influence and states that she does not want to pursue with the present case any further and request that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement and proceedings recorded before this Court.

5. The Parties understand the implication of the present proceedings. In view of the settlement arrived at between the parties, this Court is satisfied that no useful purpose would be served in continuing with the present



proceedings. Resultantly, the FIR No.74/2018 dated 18.09.2018, registered at Police Station Crime (Women) Cell Nanak Pura for offences punishable under Sections 498A/406/34 IPC and the proceedings emanating therefrom are hereby quashed.

6. The petition stands disposed of in above terms, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 26, 2024

S. Zakir