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

+ CRL.M.C. 5994/2024
RAJAN & ANR.

..... Petitioners

Through: Mr.Sanjay Kumar Pawar, Ms.Laxmi
Mishra and Mr.Monu Kumar,
Advocates with petitioners in person.

versus

STATE GOVT OF DELHI & ANR

..... Respondents

Through: Ms.Manjeet Arya, APP for State with
ASI Sudesh Kumar, PS. Karawal
Nagar.
Mr.Ashok Kumar, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **06.08.2024**

CRL.M.A. 22881/2024 (Exemption)

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

CRL.M.C. 5994/2024

3. The present petition has been filed seeking quashing of FIR No.467/2022 under Sections 498A/406/323/354/34 of the Indian Penal Code, 1860 (IPC) and Section 4 of the Dowry Prohibition Act, 1961 registered at Police Station Karawal Nagar, Delhi on the ground of settlement.
4. The petitioner no.1 is the husband of the respondent no.2 and the



petitioners no.2 is father of the petitioner no.1. The marriage of the petitioner no.1 and the respondent no.2 was solemnized on 6th November, 2011, as per Hindu rites and ceremonies.

5. Dispute arose between the petitioners and the respondent no.2, which resulted in filing of the present FIR by the respondent no.2 against the petitioners.

6. Now the parties have settled all their disputes in terms of the Memorandum of Understanding dated 12th October, 2023 which has been filed as Annexure P-3 to the petition. In terms of the MOU, a total sum of Rs.2,00,000/- is payable by the petitioners to respondent No.2, out of which Rs.1,50,000/- has already been paid to respondent no.2. Further a decree of divorce by way of mutual consent has also been granted to the parties on 12th April, 2024.

7. Balance amount of Rs.50,000/- has been handed over in the Court by the petitioners to respondent no.2 through DD No.536763 dated 25th July, 2024.

8. Issue Notice.

9. Notice is accepted by the learned APP appearing on behalf of the State and the counsel appearing on behalf of the respondent no.2.

10. The respondent no.2 is present in Court and has been identified by her counsel as well as by the Investigating Officer (I.O.). She informs the Court that she has settled the matter of her own free will and without any coercion. She further states that she has no objection to quashing of the FIR.

11. The petitioners are also present in Court and have been identified by their counsel. They affirm the statement of the respondent no.2 and undertake to abide by the terms of settlement arrived at between the parties.



12. Considering the above settlement between the parties and the chances of conviction of the petitioner being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Hence, it would be in the interest of justice to quash the aforementioned FIR and the proceedings pursuant thereto.

13. Consequently, the FIR No.467/2022 registered at Police Station Karawal Nagar, Delhi and the proceedings pursuant thereto are quashed.

14. The petition stands disposed of.

15. All pending applications stand disposed of.

AMIT BANSAL, J

AUGUST 06, 2024/v