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

+ **W.P.(CRL) 3525/2023**

KULPREET SAHNI & ORS.

..... Petitioners

Through: Mr. Saurabh D. Karan Singh,
Advocate alongwith petitioners in
person

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Amol Sinha, ASC for the State
with W/SI Kumari Bharti, P.S. Vasant
Vihar, Mr. Kshitiz Garg, Mr. Ashvini
Kumar and Ms. Chavi Lazrus,
Advocates
Mr. Prashant Mendiratta, Mr. Sanchit
Saini and Ms. Somyashree,
Advocates for R-2 alongwith R-2 in
person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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06.05.2024

CRL.M.A. 13808/2024 (exemption)

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

CRL.M.A. 13807/2024 (for placing on record NOC affidavit by R-2)

3. The present application under section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C. ') has been moved on behalf of R-2 for placing on record NOC regarding quashing of the FIR.



4. Learned counsel for R-2 states that the matter is listed for quashing of the FIR on 07.08.2024. However, the complainant is present today and seeks pre-ponement of the date of hearing.
5. Accordingly, the matter stands pre-poned and is taken up today.
6. Application stands dispose of.

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7. The instant petition under section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') read with Articles 226 and 227 of the Constitution of India has been filed on behalf of petitioners seeking quashing of FIR bearing no. 453/2020 registered at Police Station Vasant Vihar, South-West, Delhi for offences punishable under Sections 498A/406/34 of Indian Penal Code, 1860 ('IPC').
8. Issue notice. Mr. Amol Sinha, learned ASC accepts notice on behalf of the State.
9. Petitioners are are present before this Court and have been identified by their counsel Mr. Saurabh D. Karan Singh and Investigating Officer (IO) W/SI Kumari Bharti from Police Station Vasant Vihar, Delhi.
10. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 29.11.2003 as per Sikh rites and ceremonies. A daughter namely Ms. Amaya Sahni was born out of the said wedlock. It is stated that due to certain disputes and differences between the parties, both the parties started living separately from each other since 01.01.2019. On the complaint of respondent no. 2, the present FIR bearing no. 453/2020 was registered at Police Station Vasant Vihar, Delhi against the petitioners for offences punishable under Sections 498A/406/34 of IPC.



It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Agreement dated 21.05.2021 and dissolved their marriage by way of mutual consent before the concerned Court.

11. 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 *vide* Settlement Agreement dated 21.05.2021.

12. 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. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.

13. 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.

14. Accordingly, FIR bearing no. 453/2020 registered at Police Station Vasant Vihar, South-West, Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

15. In view of above, the present petition stands disposed of.



16. Date already fixed i.e. 07.08.2024 stands cancelled.
17. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 6, 2024/ns

Click here to check corrigendum, if any