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

+ **W.P.(CRL) 3618/2023**

VIPUL KUMAR & ORS.

..... Petitioners

Through: Mr. L.N. Rao and Mr. S.R. Malik,
Advocates

versus

THE STATE GNCT OF DELHI & ANR.

..... Respondents

Through: Mr. Rahul Tyagi, ASC for the State
with Ms. Priya Rai, Mr. Sangeet
Sibou, Mr. Jatin and Mr. Mathew M.
Phillip, Advocates and with SI
Sandeep Kumar, P.S. Mehrauli.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

21.03.2024

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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. 0175/2022, registered at Police Station Mehrauli, New Delhi for the offences punishable under Sections 498A/406/506/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Petitioners are present before this Court and have been identified by their counsel Mr. L.N. Rao and Investigating Officer (IO) SI Sandeep Kumar from Police Station Mehrauli, New Delhi.
3. Brief facts of the present case are that the marriage between petitioner



no. 1 and respondent no. 2 was solemnized on 10.12.2017 as per Hindu Rites and Ceremonies. No child was born out of the said wedlock. It is stated that due to temperamental differences which had arisen between the parties, both the parties started living separately from each other since 14.12.2017. On the complaint of respondent no. 2, the present FIR bearing no. 0175/2022 was registered at Police Station Mehrauli, New Delhi against the petitioners for offence punishable under Sections 498A/406/506/34 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 05.06.2023 and dissolves their marriage by way of mutual consent on 09.01.2020.

4. 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.

5. 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 05.06.2023.

6. 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.

7. Accordingly, FIR bearing no. 0175/2022, registered at Police Station Mehrauli, New Delhi for the offences punishable under Sections 498A/406/506/34 of IPC and all consequential proceedings emanating therefrom are quashed.

8. In view of above, the petition stands disposed of.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 21, 2024/zp

Click here to check corrigendum, if any