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

+ **W.P.(CRL) 3694/2023**

AMIT AHUJA & ANR.

..... Petitioners

Through: Mr. Sanjeev Sharma, Advocate

versus

STATE THROUGH SHO PS BINDAPUR & ANR. Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with SI Kishan Chand, P.S.
Bindapur.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

29.02.2024

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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. 284/2022, registered at Police Station Bindapur, New Delhi for the offence punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
2. Issue notice. Mr. Anand V. Khatri, learned ASC accepts notice on behalf of the State.
3. It is stated that one of the accused unfortunately passed away and therefore has not been made part of the petition.
4. Petitioner no. 1 and 2 are present-in-person before this Court and have been identified by their counsel Mr. Sanjeev Sharma and Investigating



Officer (IO) SI Kishan Chand from Police Station Bindapur, New Delhi.

5. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 21.07.2003 according to Hindu rites and ceremonies. One female child was born out of the said wedlock. It is stated that due to incompatibility, the respondent no. 2 initiated a complaint with Crime Against Women Cell which culminated into present FIR bearing no. 284/2022, under Sections 406/498-A/34 IPC registered by Police Station Binda Pur, New Delhi against the petitioners and their late mother namely Smt. Veena Ahuja. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Memorandum of Understanding (MoU) dated 23.04.2022.

6. 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* Memorandum of Understanding (MoU) dated 23.04.2022. It is stated that the daughter of the parties has already attained majority and is in the custody of the father. It is stated that the entire settled amount has been received by the respondent no. 2.

7. 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.

8. 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.

9. Accordingly, FIR bearing no. 284/2022, registered at Police Station Bindapur, New Delhi for the offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

10. The petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 29, 2024/zp

Click here to check corrigendum, if any