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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2572/2024**
RAKSHIT DUBEY AND ORS.

.....Petitioners
Through: Mr. Akash Rawat, Advocate along
with P-1 to P-5, except P-4.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondent
Through: Mr. Yasir Rauf Ansari, Ld. ASC for
State with Mr. Alok Sharma and Ms.
Vasu Agarwal, Advocates with SI
Sumit Kumar and SI Kashish P.S.
Dwarka North.
Respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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23.08.2024

CRL.M.A. 25149/2024 (Seeking Exemption) & CRL.M.A. 25150/2024
(Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The applications are accordingly disposed of.

W.P.(CRL) 2572/2024

3. A Petition under Article 226 of Constitution of India read with Section 482 of Cr.P.C has been filed on behalf of the petitioners seeking quashing of FIR No.0681/2022 under Section 498A/406/34 IPC registered at Police Station Dwarka, North.



4. Issue notice.
5. Mr. Yasir Rauf Ansari, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.
6. Brief facts of the case are that the respondent No.2 registered a case FIR No.0681/2022 under Section 498A/406/34 IPC with Police Station Dwarka North.
7. It is further submitted that on 20.02.2023 with the intervention of the relatives and other family members, the petitioners and respondent No.2 have amicably settled all the disputes and differences by entering in a Memo of Understanding and have mutually agreed that marriage should be dissolved by mutual consent. It was also settled between the parties that petitioner No. 1/husband shall pay a sum of Rs. 15,00,000/- to the respondent No. 2/wife towards full and final amount of all her claims including stridhan, maintenance, past, present and future, permanent alimony etc. It is also agreed that the petitioner No. 1 shall pay first instalment of Rs.5,00,000/- to respondent No.2 by way of demand draft at the time of recording of statements during First Motion Proceedings under 13 B-1 of Hindu Marriage Act. The second instalment of Rs.5,00,000/- to respondent No.2 by way of demand draft at the time of recording of statements during First Motion Proceedings under 13 B-2. The third instalment of Rs.5,00,000/- shall be paid by petitioner No.1 to respondent No.2 at the time of quashing of FIR..
8. It is also stated that on 18.12.2023, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.
9. In view of the MoU dated 20.02.2023, the present petition has been filed.



10. The petitioner No.1 is present in person and petitioner No.2,3 and 5 have appeared through Video Conferencing. Petitioner No.4 is not available today, however, the petition and MOU bears his signatures.

11. The respondent No.2/wife is present in the Court and has submitted that she has already received the agreed amount of Rs.15,00,000/- from petitioner No.1/husband.

12. The parties have submitted that all the disputes have been amicably settled *vide* MOU dated 20.02.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

13. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* MOU dated 20.02.2023 and they also submit that the said MOU has been arrived at between the parties without any pressure and coercion.

14. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

15. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

16. Moreover, there is no legal impediment in quashing the FIR in question.



17. Accordingly, FIR bearing No. 0681/2022 registered at Police Station Dwarka North, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

18. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 23, 2024/va