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

+ **CRL.M.C. 6716/2024**

DHEERAJ VALECHA & ORS.

.....Petitioner

Through: Mr. RPS Bhati, Mr. Ravindra Pandey
and Mr. Mrinal Kant Chatterjee,
Advocates

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Komal PS jagatpuri
Mr. DK Singh, Mr. Sunil Kumar
Singh, Mr. Susmil Kumar Singh, Mr.
Ajay Sisodia, Mr. Vinit Rana, Ms.
Meenu Saxena and Mr. Nupur
Kumar, advocates for R-2

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

28.08.2024

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CRL.M.A. 25637/2024(Exemption)

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

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3. The Petition under Section 528 of the BNSS, 2023 has been filed on behalf of the petitioner, seeking to quash the FIR No. 361/2022, for the offence under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station



JagatPuri.

4. Issue notice.
5. Learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between petitioner and respondent No. 2 on 04.07.2021, according to the Hindu rites and ceremonies.
7. It is further submitted that no child was born out of the said wedlock.
8. It is stated that the petitioner and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Deed before the Mediation Centre, Karkardooma Courts wherein it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner/husband shall pay a sum of Rs. 7,75,000/- towards full and final settlement of all the claims of the respondent No. 2/wife. It is also stated that the petitioner has already paid a sum of Rs. 4,75,000/-
9. A Demand Draft bearing No. 500297 for a sum Rs. 3,00,000/-, i.e the balance amount, has been handed over to the respondent No. 2/wife by the petitioner in the Court today and the same has been accepted by the respondent No. 2/wife.
10. It is also stated that on 06.05.2024, the marriage between petitioner and respondent No. 2, had been dissolved as per the Hindu law.
11. In view of the Settlement Deed dated 09.01.2024, the present Petition has been filed.
12. The parties are present before this Court in-person today, and have



been identified by their counsel and Investigating Officer concerned. . The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily has been arrived at between the parties, without any pressure and coercion.

13. Today, the 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.

14. 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, 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.

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

16. Accordingly, FIR No. 361/2022, for the offence under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station JagatPuri and all consequential proceedings emanating therefrom are quashed.

17. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 28, 2024/PT