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

+ **CRL.M.C. 6756/2024**

SANJEEV AND ORS

.....Petitioner

Through: Counsel for petitioner (appearance
not given)

versus

THE STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State with SI S. Singh, PS New
Ashok Nagar.

Mr. Utsav Singh Bain, SPP with Mr.
Prashant Pathak and Mr. Ravi
Pandey, Advocates for NCB.
Mr. Rajeev Kumar, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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29.08.2024

1. The Petition under Section 482 of the Code of Criminal Procedure (*hereinafter referred to as 'CrPC, 1973'*) has been filed on behalf of the petitioner for quashing of the FIR No. 0455/2020 for the offence under Section 498-A/406/34 of the Indian Penal Code (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station New Ashok Nagar, Delhi and all the proceedings emanating therefrom.
2. Issue notice.
3. Mr. Satinder Singh Bawa, learned APP accepts notice on behalf of the State.
4. Briefly stated the marriage of the petitioner No. 1 and the respondent No. 2 was solemnized on 12.12.2018 as per the Hindu Rites and Customs.



The petitioner No. 2 was father-in-law, petitioner No. 3 was mother-in-law, petitioner No. 4, was Devar, petitioner No. 5 was sister-in-law and petitioner No. 6 was brother-in-law of the respondent No. 2. It is further submitted that due to temperamental differences the petitioner No. 1 and the respondent No. 2 could not adjust with each other and started to live separately with each other since 12.05.2019.

5. On the complaint of respondent No. 2/wife, FIR No. 0455/2020 for the offence under Section 498-A/406/34 of IPC, has been registered at Police Station New Ashok Nagar, Delhi.

6. Due to intervention of the relatives, common friends and families of both the parties, the matter has been amicably settled *vide* Settlement Deed dated 29.05.2024 at Karkardooma Court, Delhi wherein it was *inter alia* settled between the parties that the petitioner/husband shall pay a sum of Rs. 1,80,000/- towards full and final settlement of all the claims towards the past, present and future alimony to the respondent No. 2/wife, in three instalments. It is also stated that the petitioner shall pay first instalment of Rs. 40,000/- to respondent No. 2/wife, by cash on 01.05.2024 at the time of recording of joint statements in First Motion Petition and the second instalment of Rs. 10,000/- shall be paid, by way of cash, by the petitioner to the respondent No. 2, at the time of recording of statements in First Motion. It is further stated that the third instalment of Rs.50,000/- shall be paid by way of DD/Cash, by the petitioner No. 1 to the respondent No. 2 at the time of recording of joint statements of both the parties in Second Motion. It is further stated that the petitioner No. 1 has already return the dowry articles at the time of recording the statement under Section 13 (B-2), First Motion Petition. It is further stated that the remaining balance i.e. Rs.80,000/- shall



be paid by the petitioner No. 1 to the respondent No. 2, at the time of quashing of FIR. Out of Rs.80,000/-, Rs.50,000/- shall be paid through pay order and Rs.30,000/- shall be paid through cash by the petitioner to the respondent.

7. It is stated that the out of the total sum of Rs.1,80,000/-, the petitioner has already paid Rs.1,00,000/-, to the respondent No. 2 at the time of recording of the joint Statements in First Motion Petition and the Second Motion Petition. A cheque for a sum Rs. 50,000/- i.e the balance amount, has been handed over to the respondent No. 2/wife, by the petitioner *vide* Demand Draft No. 836981 dated 20.08.2024, made in favour of the respondent No. 2/wife, drawn on UCO Bank and the same has been accepted by the respondent No. 2/wife and a sum of Rs.30,000/- i.e. the balance amount has been given cash, by the petitioner to the respondent No. 2.

8. It is also stated that on 30.07.2024, the marriage between petitioner and respondent No. 2, had been dissolved as per the Hindu Law.

9. In view of the Settlement Deed dated 29.05.2023, the present Petition has been filed.

10. 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.

11. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 29.05.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

12. The present petition has been signed by the petitioner and is supported



by his affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 29.05.2023 and they also submit that the said Settlement Deed dated 29.05.2023 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. 0455/2020 for the offence under Section 498-A/406/34 of the IPC, registered at Police Station New Ashok Nagar, Delhi and all consequential proceedings emanating therefrom are quashed.

17. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 29, 2024/RS