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

+ **W.P.(CRL) 3822/2023**

VIKAS MISHRA AND ORS

..... Petitioners

Through: **Mr. Sheel Pathak, Adv.**

versus

STATE OF NCT DELHI AND ANR

..... Respondents

Through: **Mr. Anand V. Khatri, ASC for State
with ASI Satyadev, PS Mandawali
Mr. Rishi Raj Ojha, Adv. for R-2**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

22.01.2024

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CRL.M.A. 35519/2023 (exemption)

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

W.P.(CRL) 3822/2023

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioner praying for quashing of FIR bearing No. 35/2023 registered at Police Station Mandawali, Fazalpur, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code (IPC).
4. In the present petition, petitioner no. 1 and respondent no. 2 got married on 27.04.2018 at New Delhi and no child was born out of the wedlock. Due to the differences in their temperament, respondent no. 2 lodged a complaint on which an FIR bearing No. 35/2023 under Sections



498A/406/34 IPC, P.S. Mandawali, Fazalpur, Delhi was registered against the petitioners. The parties have amicably settled the matter *vide* Settlement/MoU dated 01.11.2023.

5. Notice. Mr. Anand V, Khatri, learned APP accepts notice on behalf of the State.

6. Petitioners are present before this Court and has been identified by his counsel Mr Sheel Pathak and Investigating Officer (IO) ASI Satyadev from Police Station Mandawali, Delhi.

7. On the 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 01.11.2023 entered into between them.

8. It is submitted that no.2 has foregone 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.

9. Today, the complainant who is present in Court states that she has no objection if the FIR is quashed.

10. 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.



11. Accordingly, FIR bearing No. 35/2023 registered at Police Station Mandawali, Delhi for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.
12. The petition stands disposed of.
13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 22, 2024/NS

Click here to check corrigendum, if any