



\$~25

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

+ **CRL.M.C. 23/2024**

ANU AND ORS

..... Petitioners

Through: Ms. Ritu Reniwal and Mr. Ritik Raj,
Adv.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr Raghvinder Varma, APP for the
State with SI Vikash, PS Najafgarh.
Ms. Sonia, Adv. for R-2 along with
respondent no. 2 Mr. Tushar Verma
in person

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

27.02.2024

%

1. The present petition has been filed under section 482 CrPC seeking quashing of FIR No. 0237/2019 under Section 419/420 IPC registered at PS-Najafgarh, New Delhi on the ground that parties have arrived at settlement.
2. Issue notice. Learned APP for the State accepts notice. He submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR is quashed.
3. The petitioner no.1(former wife), as well as, respondent no.2(former wife) are present in the court, whereas the petitioner no.2 and petitioner no.3, who are the parents of petitioner no.1 have joined through VC. The parties have been identified by the respective counsel, as well as, by the Investigating Officer SI Vikash, PS Najafgarh.
4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no.2 was solemnised on 25.01.2015. A male child



namely Devansh was born out of the said wedlock, who is presently in the care and custody of the petitioner no.1/mother.

5. On account of temperamental differences, the petitioner no.1 and respondent no.2 started residing separately with effect from 24.06.2018. The dispute between the parties led to the registration of following two cross FIRs:

(i) FIR No. 237/2019 i.e. the present FIR registered at the instance of the respondent no.2 i.e. the former husband of petitioner no.1 against the petitioner no.1 and her family members; and

(ii) FIR No. 16/2020, registered at the instance of the petitioner no.1 against the respondent no.2 and his family members

6. During the pendency of the proceedings, the parties were referred to the Counselling Cell, Dwarka Court, New Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of settlement dated 19.07.2023, which is annexed as annexure P-2 to the petition.

7. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 25.10.2023, which is annexed as Annexure P-4 to the present petition.

8. It is a term of settlement that the parties shall co-operate with each other in quashing of both the cross FIRs.

9. The Learned Counsel for the Petitioners submit that the other FIR registered at the instance of respondent no.2 bearing FIR No. 16/2020 has already been quashed by a Coordinate Bench of this Court by an order of even date.



10. It is also a term of the settlement between the parties that the respondent no.2 shall pay a total sum of Rs. 12,00,000/- to the petitioner no.1 towards full & final settlement of all her claims on account of streedhan, permanent alimony, dowry articles, maintenance (past, present & future) etc., which already stands paid.

11. The receipt of entire amount of Rs.12 lacs is acknowledged by the petitioner no.1, who is present in court

12. The respondent no.2 on a query put by the court, states that he has no objection in case the FIR is quashed.

13. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

14. It is thus in the interest of justice that the present FIR and all the other proceedings emanating there from be quashed.

15. Consequently, the petition is allowed and the FIR No. 237/2019 under Section 419/420 IPC registered at PS-Najafgarh, Delhi along with all other proceedings there from, is quashed.

16. The petition stands disposed of in the above terms.

17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

FEBRUARY 27, 2024/cd