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

+ **CRL.M.C. 32/2024**

PINTOO@ PINTU & ORS.

..... Petitioners

Through: Ms Pallavi and Mr Manoj Kumar,
Advocates along with petitioners in
person.

versus

**THE STATE, GOVT. OF N.C.T. OF DELHI
& ANR.**

..... Respondents

Through: Mr Raghvinder Verma, APP for the
State with SI Ashok Rajbaniya, PS
Farsh Bazar.
Ms Shyamla Pal, Advocate for R-2
along with R-2 in person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
03.01.2024

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CRL.M.A. 104/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 32/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0172/2013 under Sections 498A/406/34 IPC registered at Police Station Farsh Bazar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. Issue notice. The 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 in question is quashed.

4. The petitioner no.1 (former husband) and petitioner nos.2 to 9, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsels and by the Investigating Officer SI Ashok Rajbaniya, PS Farsh Bazar.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 23.11.2009 according to Hindu Rites and Customs. Out of the said wedlock, two male children, namely, Sudhanshu and Lakshaya were born. The elder son Sudhanshu is in the care and custody of the petitioner no.1 and the younger son Lakshaya is in the care and custody of the respondent no.2.

6. On account of temperamental issues, certain disputes arose between the parties and they started living separately w.e.f. 16.01.2012.

7. The petitioner no.1 also filed a divorce petition and the petition was decreed *ex-parte* vide decree dated 21.11.2011, a copy of which has been annexed as Annexure-P/3 to the present petition. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to the Delhi Mediation Centre, Karkardooma Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 01.11.2023, which is annexed as Annexure-P/2 to the present petition.

9. In terms of the said settlement, it has been decided between the parties that the petitioner no.1 shall pay a total sum of Rs.4 lakhs to the respondent



no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a sum of Rs.3 lakhs have already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.1 lakh has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.124413 dated 21.12.2023 issued by State Bank of India, Paschim Vihar Branch.

10. The receipt of entire amount of Rs.4 lakhs is acknowledged by the respondent no.2, who is present in court.

11. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

12. 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.

13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

14. Consequently, the petition is allowed and the FIR No.0172/2013 under Sections 498A/406/34 IPC registered at Police Station Farsh Bazar, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 3, 2024/MK