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

+ **CRL.M.C. 115/2024**

BHARATBHUSHAN AND ORS

..... Petitioners

Through: Mr Dhruv Goyal, Advocate along
with petitioners in person.

versus

**STATE THROUGH SHO PS BINDAPUR
AND ANR**

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Ekta, Police Station Bindapur.
Mr Status report Khan, Mr Lalit
Ajmani, Mr Lakshay Chhabra,
Advocates for respondent no.2 along
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

05.01.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0827/2019 under Sections 498A/406/34A IPC registered at Police Station Bindapur, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. The petitioner no.1 (former husband) and petitioner nos.2 to 4, 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 Ekta, Police Station Bindapur.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 07.07.2014 according to Hindu Rites and Customs. Out of the said wedlock, two children, namely, Gauri, who is 8 ½ years old and Geetanshi, who is 7 ½ years old were born.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 28.03.2018. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties were referred to Counselling Cell, Family Courts, Dwarka, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 06.05.2023, which is annexed as Annexure P-4 to the present 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 22.09.2023, which is annexed at page 79 of the present petition.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.10 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. 6 lakhs has 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.4 lakhs has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Fixed Deposit Receipt dated 17.11.2023 issued by Canara Bank, which is in the name of the elder daughter, namely, Miss Gauri, of the petitioner no.1 and respondent no.2.

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

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

11. 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.

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

13. Consequently, the petition is allowed and the FIR No.0827/2019 under Sections 498A/406/34A IPC registered at Police Station Bindapur, New Delhialongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

JANUARY 5, 2024
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