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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 84/2024**

KULDEEP SHARMA BUNTY & ORS. Petitioners

Through: Mr. Kapil Kumar and Ms. Neha
Gupta, Advocates alongwith
petitioners in person

versus

STATE AND ANR. Respondents

Through: Mr. Naresh Kumar Chahar, APP for
State with IO SI Anil Kumar, P.S.
Vijay Vihar, Delhi
Respondent no. 2 in person

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
% **04.03.2024**

CRL.M.A. 333/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

CRL.M.C. 84/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 49/2021 dated 13.02.2021, registered at Police Station Vijay Vihar, Delhi for offence punishable under Sections 498A/406/354/34 of the Indian Penal Code, 1860 ('IPC') and all



consequential proceedings emanating therefrom.

4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.

5. Petitioners are present before this Court and have been identified by their counsel Mr. Kapil Kumar and Investigating Officer (IO) SI Anil Kumar from Police Station Vijay Vihar, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 18.02.2018 according to Hindu rites and ceremonies at Rajasthan. No child was born out of the said wedlock. It is stated that due to certain differences which had arisen between the parties, both the parties started living separately since 05.04.2019. It is stated that on the complaint of respondent no. 2, the present FIR bearing no. 49/2021 was registered at Police Station Vijay Vihar, Delhi against the petitioners for the offences punishable under Sections 498A/406/506/354/34 of IPC. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Deed dated 05.04.2021.

7. On a 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 *vide* Settlement Deed dated 05.04.2021 and that they have obtained decree of divorce by mutual consent.

8. It is submitted that respondent no.2 has settled all her claims in a total sum of Rs.2,00,000/- towards her one time maintenance and alimony as full and final settlement with petitioner no.1 and other family members.

9. Today, the complainant who is present in Court states that she has



received the full and final payment and 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. 49/2021 dated 13.02.2021, registered at Police Station Vijay Vihar, Delhi for offence punishable under Sections 498A/406/354/34 of 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

MARCH 4, 2024/ns

[Click here to check corrigendum, if any](#)