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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7010/2024, CRL.M.A. 26748/2024**
CHANDAN KUMAR GUPTA & ORS.

.....Petitioner

Through: Mr Nishank Kant Sungra, M.r Vishnu
and Mr. Dheeraj Singh, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, Ld. APP
for State with WSI Vinod Kapoor
P.S. Sagarpur.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **05.09.2024**

CRL.M.A. 26747/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 7010/2024

3. The present Petition under Section 482 Cr.P.C has been filed on behalf of the petitioners seeking to quash the FIR No. 670/2022 dated 24.09.2022 registered under Sections 498A/34 of the Indian Penal Code, 1860 at Police Station Sagarpur, Delhi.
4. Issue notice.
5. Mr. Satinder Singh Bawa, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.
6. Brief facts of the case are that the marriage between petitioner No. 1



and respondent No. 2 was solemnized on 17.06.2021 according to Hindu rites and ceremonies at District Ballia, U.P. It is stated that no child was born out of the said wedlock. Since 25.07.2021, the parties started residing separately.

7. It is further submitted that on 30.12.2021, on the complaint of respondent No. 2 before CAW Cell, Delhi Cantt., an FIR bearing No. 670/2022 under Sections 498A/34 of the Indian Penal Code, 1860 got registered at Police Station Sagarpur.

8. It is stated that the matter was referred to Mediation Cell, Patiala House Court, New Delhi, where both the parties amicably settled all the disputes and differences *vide* Compromise Deed dated 26.10.2023, and it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No. 1/husband shall pay a sum of Rs. 3,00,000/- to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife. It is also stated that the petitioner No. 1 has already paid Rs.2,00,000 to respondent No. 2/wife in two instalments viz., Rs.1,00,000/- was paid at the time of recording of statements in First Motion Petition under Section 13(b) of the Hindu Marriage Act, 1955 and another Rs.1,00,000/- was paid at the time of recording of statements in Second Motion Petition under Section 13(b)(2) of the Hindu Marriage Act, 1955.

9. It is further stated that the remaining third instalment of Rs.1,00,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 670/2022.

10. It is also stated that on 25.01.2024, the marriage between petitioner



No. 1 and respondent No. 2 had been dissolved as per Hindu law.

11. In view of the Compromise Deed dated 26.10.2023, the present petition has been filed.

12. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties submitted that the compromise has been arrived at between them without any pressure or coercion and that undertaken to abide by the terms of the Mediation Settlement dated 26.10.2023.

13. The third instalment of Rs.1,00,000/- has been paid to the respondent No. 2/wife by the petitioner No. 1 today in the Court *via* Demand Draft No.504176 dated 29.06.2024 drawn on ICICI Bank in the name of Ms. Sunita Kumari respondent No.2/wife.

14. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 26.10.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

15. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Compromise Deed dated 26.10.2023 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

16. The respondent No. 2/wife submits that she has been livingly separately from the petitioner No. 1/husband for the last three years.

17. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

18. In view of the above facts that the parties have amicably resolved



their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

19. Moreover, there is no legal impediment in quashing the FIR in question.

20. Accordingly, FIR bearing No. 670/2022 registered at Police Station Sagarpur, for offences punishable under Sections 498A/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed qua the petitioners.

21. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 5, 2024/va