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

+ **CRL.M.C. 281/2024**

RAMAN PARASHAR & ANR.

..... Petitioners

Through: Ms Neha Jain and Ms Suman
Advocates along with petitioners in
person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Rooma Yadav, PS Paschim
Vihar West.

Ms Swaty Singh Malik and Mr Rohan
Kumar, Advocates for R-2 along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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12.01.2024

CRL.M.A. 1113/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 281/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0600/2020 under Sections 498A/406 IPC registered at Police Station Paschim Vihar West 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 no.2, who is close relative 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 counsel and by the Investigating Officer SI Rooma Yadav, PS Paschim Vihar West.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 06.10.2011 according to Hindu Rites and Customs. Out of the said wedlock, two girl children, namely, Baby Pooja, who is aged about 10 years and Baby Krisha, who is aged about 08 years, were born, who are 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. 14.09.2016. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding/Settlement Deed/Compromise Deed dated 27.09.2023, which is annexed as Annexure A-3 to the present petition.

8. 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 13.12.2023.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.70 lakhs, in the form of three FDRs amounting to Rs.35 lakhs, Rs.20 lakhs and Rs.15 lakhs. The first FDR will be in the name of daughter Baby Pooja and other two FDRs will be in the



name of daughter Baby Krisha. Out of the said amount, the two FDRs of Rs.35 lakhs and Rs.20 lakhs, have already been paid by the petitioner no.1 to the respondent no.2, in the manner as stated in the settlement. The remaining amount of Rs.15 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 10.01.2024 issued by Punjab National Bank, Sector-10, Dwarka, New Delhi, which is in the name of Baby Krisha.

10. The receipt of entire amount of Rs.70 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.0600/2020 under Sections 498A/406 IPC registered at Police Station Paschim Vihar West 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 12, 2024/MK