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

+ **CRL.M.C. 327/2024**

MOHD. ABID & ORS.

..... Petitioners

Through: Petitioners with their counsel Ms.
Pooja Singh, Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State along with SI Ravi Dhaka,
P.S. Nand Nagari.
R-2 with her counsel Mr. Ronak
Chaudhary, Advocate.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

06.03.2024

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CRL.M.A. 1266/2024

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 327/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C') has been filed by petitioners praying for quashing of FIR bearing No. 0167/2023 registered at Police Station Nand Nagari, Delhi for the offences punishable under Sections 498A/406/506/34 of Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.



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

5. Briefly stated the facts of the present case are that the marriage between petitioner No. 1 and respondent no.2 was solemnized on 06.08.2011. However, due to temperamental differences between the petitioners and respondent no.2 disputes arose resulting to the registration of the present FIR.

6. The petitioners are present before this Court and have been identified by their counsel Ms. Pooja Singh and Investigating Officer (IO) SI Ravi Dhaka Station Nand Nagari, Delhi.

7. On the 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 parties entered into between them vide Memorandum of Understanding (MoU) dated 03.05.2023.

8. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, stridhan, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with the petitioners. The petitioner no. 1 had paid a sum of Rs.3,50,000/- in three installments in the following manner:

- a. First installment paid to Rs.1,25,000/- paid to respondent No. 2 vide Cheque bearing No.239309 dated 03.05.2022 drawn on Axis Bank, Dilshad Colony, Delhi at the time of execution of MoU.
- b. Second Installment of Rs.50,000/- paid to respondent no.



2 at the time of notice in the first divorce.

c. Third installment of Rs. 50,000/- paid to respondent no. 2 at the time of notice in the second divorce.

d. Fourth installment of Rs.50,000/- to respondent no. 2 paid to respondent no. 2 at the time of notice in the third divorce.

e. Fifth installment of Rs.1,00,000/- paid to respondent no. 2 at the time of recording of final statement in the divorce petition.

f. Sixth installment of Rs.1,00,000/- has been transferred to the accounting of the complainant through RTGS today.

9. Today, the complainant who is present in Court states that she has received the last and final installment of Rs. 1,00,000/- today i.e. 06.03.2024 via PhonePe 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. 0167/2023 registered at Police Station Nand Nagari, Delhi for offences punishable under Sections 498A/406/506/34 of the 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 6, 2024/A

Click here to check corrigendum, if any