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

+ **W.P.(CRL) 341/2024**

AJAY KASHYAP & ORS.

..... Petitioners

Through: Mr. N.P. Singh and Mr. H.S. Rai,
Advocates alongwith petitioners in
person

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with Mr. Shivesh Kaushik,
Mr. Abhinav Kumar Arya, Advocates
and SI Ekta, P.S. Bindapur, Dwarka,
Delhi

Mr. Raj Tilak and Mr. G. Roy,
Advocates for R-2 alongwith R-2 in
person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

01.02.2024

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1. The instant petition under Article 226 of the Constitution of India read with 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. 334/2022 registered at Police Station Bindapur, Delhi for offence punishable under Sections 498A/406/354/323/509/34 of Indian Penal Code, 1860 ('IPC') and proceedings emanating therefrom.

2. Issue notice. Mr. Sanjay Lao, Standing Counsel accepts notice on behalf of the State.



3. Petitioners are present before this Court and have been identified by their counsel Mr. N.P. Singh and Investigating Officer (IO) SI Ekta from Police Station Bindapur, Delhi.

4. The brief facts of the case are that marriage between petitioner no. 1 and respondent no. 2 was solemnized on 30.06.2021 according to Hindu rites and ceremonies and no child was born out of the wedlock. It is stated that due to misunderstanding and temperamental differences, respondent no. 2 had lodged an FIR bearing no. 0334/2022 on 02.04.2022 against petitioner nos. 1 and 2 at Police station Bindapur, Delhi for offence punishable under Sections 498A/406/34 of IPC and further Sections 354/32/509 of IPC were added in the said FIR. It is further stated that during the pendency of the case, respondent no. 2 had amicably settled the matter with all the petitioners before the Mediation Centre, Dwarka Courts, New Delhi on 26.04.2023 and had obtained decree of divorce by mutual consent from the concerned Court.

5. 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 them before the Mediation Centre, Dwarka Courts, New Delhi on 26.04.2023 and that they have obtained decree of divorce by mutual consent from the concerned Court. She further states that she has no objection, if the FIR is quashed.

6. 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 petitioner no.1 other family members without any monetary consideration.

7. In view of the above facts that the parties have amicably resolved their differences out 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 FIRs and the proceedings pursuant thereto. There is no legal impediment in quashing the FIRs in question.

8. Accordingly FIR bearing no. 334/2022 registered at Police Station Bindapur, Delhi for offence punishable under Sections 498A/406/354/323/509/34 of Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

9. The present petition stands disposed of.

10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 1, 2024/ns

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