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

+ **CRL.M.C. 1126/2024 & CRL.M.A. 4426/2024**

NIMIT SETHI & ANR.

..... Petitioners

Through: Mr. Sanjeev Sahay, Ms. Shagun
Saproo and Mr. Karan Deep Singh,
Advs.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Raj Kumar, APP for State with SI
Vijay Pal Singh, PS. CWC,
Nanakpura.
Mr. Vishesh Wadhwa and Mr. Arjun
Gupta, Advs. for R-2 (through VC).

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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12.02.2024

CRL.M.A. 4425/2024 (exemption)

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

CRL.M.C. 1126/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.8/2016 under Sections 498A/406/34 IPC registered at Police Station Crime (Women) Cell, Nanak Pura and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. 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.

5. The petitioner no.1 (former husband) and the petitioner no.2, who is a close relative of petitioner no.1, are present in the Court, whereas the respondent no. 2 (former wife) has joined through VC and they have been identified by their counsel and by the Investigating Officer SI Vijay Pal Singh, PS. CWC, Nanakpura.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 24.07.2013 according to Hindu Rites and Customs. No child was born out of the said wedlock,

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. January, 2015. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Mediation Centre, Saket Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Agreement dated 31.01.2017, which is annexed as Annexure E-3 to the present petition.

9. 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 23.07.2018, which is annexed as Annexure A-4 to the present petition.

10. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.8.75 lacs to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future)



etc. Out of the said amount, a sum of Rs. 5.75 lacs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs. 3 lacs has been paid to the respondent no.2 today in the Court by the petitioner no.1 by way of Demand Draft bearing No. 079026 dated 01.02.2024 issued by HDFC Bank.

11. The receipt of entire amount of Rs.8.75 lacs is acknowledged by the respondent no.2, who has joined through VC.

12. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

13. 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.

14. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

15. Consequently, the petition is allowed and the FIR No.8/2016 under Sections 498A/406/34 IPC registered at Police Station Crime (Women) Cell, Nanak Pura alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.

17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

FEBRUARY 12, 2024/dss