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

+ **CRL.M.C. 7405/2024**

MUKESH & ORS.

.....Petitioners

Through: Mr. Vijay Chaturvedi, Mr. Jai Subhash Thakur, Mr. Vikas Saini & Ms. Kanwalpreet Singh, Advocates with petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for State. Respondent No. 2 through VC. S.I. Pradeep Kumar, PS Aman Vihar, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **19.09.2024**

CRL.M.A. 28276/2024 (Exemption)

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

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3. The present Petition under Section 482 of the Code of Civil Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioner seeking to quash the FIR No. 1463/2015 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Aman Vihar, Delhi.
4. Brief facts of the case are that the marriage was solemnized between



petitioner No. 1 and respondent No. 2 on 15.04.2012 according to Hindu rites and ceremonies and no child was born from the said wedlock.

5. It is further submitted that the respondent No. 2 made a complaint before the CAW Cell, Sector 3, Rohini, Delhi against the petitioners and on the said complaint of respondent No. 2, an FIR bearing No. 1463/2015 under Sections 498A/406/34 of the IPC, 1860 got registered at Police Station Aman Vihar, Delhi, which is pending before the learned Trial Court Delhi.

6. It is also submitted that during the pendency of the matter, the parties have arrived at between the parties.

7. It may be noted that though no Settlement Agreement has been filed on record but Affidavit-cum-NOC of respondent No. 2 has been placed on record, wherein it is *inter alia* stated that: -

(i) That the respondent No. 2/wife has amicably resolved all the disputes with the petitioners without any force, pressure or coercion,

(ii) That the respondent No. 2/wife is no more interested in prosecuting the case against the petitioners and has no objection if the FIR No. 1463/2015 is quashed,

(iii) That the respondent No. 2 has settled all her claims towards maintenance (past, present and future) of herself and *stridhan* for Rs. 10,000/- and the said amount has already been paid by the petitioner No. 1 to her as well as the articles of *stridhan* have also been returned to her,

(iv) That the marriage between the respondent No. 2 and the petitioner No. 1 has been dissolved by Decree of Mutual Consent.

8. In view of the settlement, the present petition has been filed.

9. It is also stated that the marriage between the petitioner No. 1 and the



respondent No. 2/wife has been dissolved *vide* Decree of Divorce dated 11.12.2018.

10. The petitioners are present in person in the Court and the respondent No. 2/wife is appearing through video conferencing today, and they have been identified by their counsel and Investigating Officer concerned.

11. The respondent No. 2 submits that she has received Rs. 10,000/- towards her claims of maintenance (past, present and future) of herself and *stridhan* pursuant to the settlement.

12. The parties have submitted that all the disputes have been amicably settled and thus, no fruitful purpose will be served in continuing with the FIR.

13. The present petition has been signed by the petitioners and is supported by their affidavits. The parties have endorsed and reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

14. Today, the complainant/respondent No. 2/wife, who is present through video conferencing, states that she has received all amounts due to her and has settled all the disputes with the petitioners and has no objection if the FIR is quashed.

15. 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, 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.

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



question.

17. Accordingly, FIR bearing No. 1463/2015 registered at Police Station Aman Vihar, Delhi, for offences punishable under Sections 498A/406/34 of IPC, 1860 along with Chargesheet and all consequential proceedings emanating therefrom are quashed.

18. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 19, 2024

S.Sharma