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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7510/2024 & CRL.M.A.28633-34/2024**

SH. HIMANSHU CHAWLA & ANR.

.....Petitioners

Through: Ms. Reena Sharma and Mr. Pawan
Jain, Advocates.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State along with SI Gourav
Kumar, P.S.Paschim Vihar.
Mr. Anshul Bedi and Ms. Isha
Bhardwaj, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

23.09.2024

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1. The Petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita (*hereinafter referred to as 'B.N.S.S., 2023'*) has been filed on behalf of the petitioner, seeking to quash the FIR No. 209/2019 for the offence under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Paschim Vihar, New Delhi.
2. Issue notice.
3. Mr. Satinder Singh Bawa, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. Brief facts of the case are that the marriage was



solemnized between petitioner No.1 and respondent No. 2 on 28.11.2017, according to the Hindu rites and ceremonies.

5. It is stated that the petitioner No.1 and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at settlement *vide* Settlement dated 22.03.2024 before the Counselling Cell, Family Court, Tis Hazari, Delhi wherein it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No.1/husband shall pay a sum of Rs. 18,00,000/- towards full and final settlement of all the claims of the respondent No. 2. It is stated that the petitioner No.1 has already paid the Rs. 12,00,000/- to the respondent No. 2 and balance amount of Rs. 6,00,000/- has been paid to respondent No.2 today in the Court *vide* Manager's Cheque No.019826 dated 31.07.2024 drawn on HDFC Bank, Kirti Nagar Branch and same had been accepted by the respondent No. 2/wife.

6. It is also stated that the marriage between petitioner No.1 and respondent No. 2, had been dissolved *vide* Divorce Decree dated 21.08.2024.

7. In view of the Settlement dated 22.03.2024, the present Petition has been filed.

8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable



settlement and accepted the terms thereof voluntarily.

9. The parties have submitted that all the disputes have been amicably settled *vide* Settlement dated 22.03.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

10. The present petition has been signed by the petitioner and is supported by his affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement dated 22.03.2024 and they also submit that the said Settlement dated 22.03.2024 has been arrived at between the parties, without any pressure and coercion.

11. Today, the respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

12. 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.

13. Moreover, there is no legal impediment in quashing the FIR in question. It is however, made clear that the settlement between the parties *vide* Settlement dated 22.03.2024.

14. Accordingly, FIR No. 209/2019 for the offence under Sections 498A/406/34 IPC registered at Police Station Paschim



Vihar, New Delhi and all consequential proceedings emanating therefrom are quashed.

15. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 23, 2024

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