



\$~53

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

+ **CRL.M.C. 7819/2024**

PRAGYAVEER KUMAR & ANR.

.....Petitioners

Through: Petitioners with their counsel Mr.
Girish Kumar, Adv.

versus

**THE STATE NCT OF DELHI THROUGH SHO PS SECTOR-23,
DWARKA & ANR.**

.....Respondents

Through: Ms. Kiran Bairwa, APP for the State
along with SI Mamta, P.S. Dwarka,
Sector-23.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

%

04.10.2024

1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed by the petitioners praying for quashing of FIR bearing No. 311/2023 registered at Police Station Sector-23, Dwarka, New Delhi for offences punishable under Sections 31 of Domestic Violence Act, 2005.
2. Notice. Ms. Kiran Bairwa, learned APP accepts notice on behalf of the State. R-2 is also present in person.
3. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnised on 22.02.2029. On 27.09.2023, an FIR was lodged on the complaint of respondent no. 2. Subsequently, with the intervention of the family members and relatives, the parties have amicably



settled their disputes on 16.04.2024 and decided to quash the FIR.

4. The petitioners as well as respondent no. 2 are present before this Court and have been identified by counsel Mr. Girish Kumar and Investigating Officer ('IO') SI Mamta from Police Station Dwarka, Sector-23, Delhi.

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.

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 and other family members. It is also stated that in terms of the above settlement, petitioner no. 1 shall pay an amount of ₹35 lacs to the complainant in full and final settlement of her claim, out of which ₹30 lacs already stand paid and the balance sum of ₹5 lacs has been handed over to the complainant today in Court *vide* Demand Draft No.723679 dated 25.09.2024. As per the terms of the compromise, the complainant was also required to hand over the keys of the matrimonial home, which have been handed over to petitioner no. 1 husband today in Court.

7. Today, the complainant who is present in Court states that she has received all amounts due to her, and has no objection if the FIR is quashed.

8. 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, I am of the opinion that no useful purpose will be served by continuing 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. Moreover, there is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing No. 311/2023 registered at Police Station Sector-23, Dwarka, New Delhi for offences punishable under Sections 31 of Domestic Violence Act, 2005 and all consequential proceedings emanating therefrom are quashed.

10. The petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

OCTOBER 4, 2024
A

Click here to check corrigendum, if any