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

+ **CRL.M.C. 9424/2024 CRL.M.A. 36157/2024**

SH LAXIT BHOURIWAL & ORS.

.....Petitioner

Through: Mr. Sunil Satyarthi and Ms. Archana Satyarthi, Mr. Naman Rudra Dutt, Advocates.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Pradeep Gahalot, APP for State with ASI Om Prakash.
Mr. Lokesh Kumar and Mr. Vogeesh Kumar, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% 18.12.2024

1. This petition has been filed seeking quashing of FIR No. 314/2022 registered at P.S Sarai Rohilla, Delhi under Sections 498A /406/34 IPC on the basis of settlement arrived at between the parties dated 16th January 2024 with the facilitation of Counselling Cell, Family Court, Tis Hazari Courts, which is on record of this Court.
2. As per the settlement, parties have agreed to various terms and conditions, including that petitioner/husband shall pay an amount of Rs. 5,99,000/- as full and final settlement to respondent no. 2/wife.
3. It is stated by counsel for petitioner that various instalments of the amount have been paid, and the divorce proceedings have culminated into a



decree dated 16th May 2024.

4. Respondent No. 2 has also withdrawn the proceedings under Section 125 Cr.P.C. as well as Section 12 of the DV Act.

5. The last state of settlement was the quashing of the FIR and the amount of Rs. 5,99,000/- is to be tendered at this stage.

6. Petitioner nos. 2 to 4 were exempted by previous order of this Court's order dated 02nd December 2024. Petitioner nos. 1-2 are present in Court and are duly identified by IO and the respective counsels.

7. Direction had been given by this Court on 02nd December 2024, to deposit the balance amount of Rs. 5,99,000/- before the Registrar General of this Court which has been duly deposited on 06th December, 2024 *vide* diary No. 32136. Respondent no.2 has no objection to the quashing of the FIR subject to the amounts being paid to her.

8. Registry will release the said amount of Rs. 5,99,000/-, along with whatever interest is accrued on it, to the respondent no.2 within a week from today. It is accordingly directed.

9. Marriage of petitioner 1 and respondent no.2 has culminated in a divorce decree dated 16th May 2024. No child was born out of wedlock.

10. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 314/2022 under Sections 498A /406/34 IPC registered at PS Sarai Rohilla, Delhi and proceedings emanating therefrom are quashed.

11. Parties shall abide by the terms of settlement.



12. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

13. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 18, 2024/RK/tk