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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 4007/2024**
ARPIT SHARMA AND ORSPetitioners
Through: Mr. K.K. Sharma, Mr. Mohit Sharma,
Mr. Harshit Aggarwal, Mr. Tushar
Batra and Mr. H. Bhadana, Advs.
along with P-1.

versus

STATE OF NCT OF DELHI & ANR.Respondents
Through: Mr. Sanjay Lao, Standing Counsel
with Mr. Priyam Aggarwal and Mr.
Abhinav Kumar Arya, Advs. for State
along with WSI Ingkumnaro, PS New
Ashok Nagar, Delhi.
Mr. Mukesh Thakur and Mr. Vikram
Gola, Advs. along with R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
20.12.2024

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CRL.M.A. 38650/2024 (exemption)

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

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3. The present petition has been filed under Article 226 of Constitution of India read with Section 528 of BNSS, 2023 seeking quashing of FIR No.0708/2023 under Sections 498A/406/34 IPC registered at Police Station Ashok Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. Mr. Sanjay Lao, learned Standing Counsel appearing on behalf of the State, as well as, Mr. Mukesh Thakur, learned counsel appearing



on behalf of the respondent no.2 accept notice. They submit that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, they have no objection in case the FIR in question is quashed.

5. The petitioner no.1 (former husband), as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer, i.e., WSI Ingkumnaro, PS New Ashok Nagar, Delhi.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 06.02.2022 according to Hindu Rites and Customs.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 01.02.2023. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties amicably arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding (MoU) dated 28.09.2024, which is annexed as Annexure-C 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 03.12.2024, which is annexed as Annexure-D to the present petition.

10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.40,00,000/- to the respondent no.2 towards full and final settlement of all her claims on account of permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a



sum of Rs.20,00,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the MoU. The remaining amount of Rs.20,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of two Demand Drafts bearing No.006706 dated 18.12.2024 issued by HDFC Bank and bearing no.502647 dated 18.12.2024 issued by ICICI Bank, Connaught Place, New Delhi, each amounting to Rs.10,00,000/-.

11. The receipt of entire amount of Rs.40,00,000/- is acknowledged by the respondent no.2, who is present in court.

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.0708/2023 under Sections 498A/406/34 IPC registered at Police Station Ashok Vihar, Delhi along with 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.

DECEMBER 20, 2024/aj

VIKAS MAHAJAN, J