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

+ CRL.M.C. 10129/2024

AMIT BHARDWAJ @ SH AMIT SHARMA & ORS.Petitioners
Through: Mr. Deepak Kumar Srivastava,
Advocate with petitioners in person.
versus

STATE OF NCT OF DELHI & ANR.Respondents
Through: Mr. Digam Singh Dagar, APP for the
State with SI Manisha Sharma, PS
Hauz Khas
Mr. Ramniwas and Ms. Anjali
Kumari, Advocates for R-2 with R-2
in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
23.12.2024

CRL.M.A. 38867/2024 (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 Section 528 of the BNSS, 2023 seeking quashing of FIR No. 182/2024 under Sections 498A/406/34 IPC registered at Police Station Hauz Khas, District South, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP appearing for the State accepts notice.



He submits that since the present FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

5. The petitioners and the respondent no. 2 are present in Court and they have been identified by their respective counsel and by the Investigating Officer SI Manisha Sharma, PS Hauz Khas, New Delhi.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 16.02.2021 according to Hindu rites and ceremonies. Due to temperamental differences, the parties started living separately w.e.f 25.02.2023.

7. During pendency of the proceedings, the parties were referred to the Counsellor of the Family Court, South District, Saket Court, New Delhi, where they arrived at settlement, terms whereof were reduced in writing in the form of settlement dated 05.06.2024, a copy of which is annexed with the present petition as Annexure P-2.

8. In terms of the said settlement, the parties decided to dissolve their marriage by way of divorce by mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 08.11.2024, which is annexed as Annexure P-4 to the present petition.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs. 6,00,000/- to the respondent no.2. Out of the said amount, a sum of Rs. 3,50,000/- has already been paid by the petitioner no.1 to the respondent no.2, the receipt of which respondent no.2 acknowledges. The remaining amount of Rs. 2,50,000/- has been paid to the respondent no.2 today in the court by way of demand draft bearing no.911071 dated 20.12.2024 issued by the State Bank of India, Inderpuri,



New Delhi.

10. On a query posed by the Court, the respondent no.2, who is present in court states that she has no objection in case the FIR is quashed.

11. 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.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No. 182/2024 under Sections 498A/406/34 IPC registered at Police Station Hauz Khas, District South, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

DECEMBER 23, 2024
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