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

+ **CRL.M.C. 10180/2024**

GAURAV KUMAR AND OTHERS

.....Petitioners

Through: Mr. Manobal Gupta and Mr. Priyamvada Gupta, Advs. with petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for State with ASI Vikram Singh PS Karawal Nagar
Mr.R.K. Bachchan, Ms. Sandhya Singh and Mr. Deepak Sharma, Advs. for R-2 with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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23.12.2024

CRL.M.A. 39028/2024 (exemption)

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

CRL.M.C. 10180/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.186/2022 under Sections 498A/406/34 IPC registered at Police Station Karawal Nagar, Delhi and all consequential



proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. The learned APP for the State accepts notice. He submits that since the 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 petitioner no.1 (former husband), petitioner nos. 2 and 3, who are close relatives of petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer ASI Vikram Singh PS Karawal Nagar.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 21.04.2015 according to Hindu Rites and Customs. Out of the said wedlock, one female child, namely, Avikaa was born, whose custody is with the respondent no. 2.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 12.08.2020. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 20.12.2023, which is annexed as Annexure B 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 26.03.2024, which is annexed as Annexure C 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.8,00,000/- to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a sum of Rs. 6,00,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.2,00,000/- has been paid by the petitioner no.1 to the respondent no.2 today in the court by way of following Demand Drafts:

(i) bearing No.206199 dated 16.12.2024 issued by Punjab National Bank, Bilari Main Bazar (Moradabad) U.P.202411 of Rs.1,00,000/-.

(ii) bearing No.206200 dated 16.12.2024 issued by Punjab National Bank, Bilari Main Bazar (Moradabad) U.P.202411 of Rs.1,00,000/-.

11. The receipt of entire amount of Rs.8,00,000/- is acknowledged by the respondent no.2, who is present in court.

12. The respondent no.2, on a query posed 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.186/2022 under



Sections 498A/406/34 IPC registered at Police Station Karawal Nagar, Delhi
alongwith 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.

VIKAS MAHAJAN, J

DECEMBER 23, 2024
N.S. ASWAL