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

\+ CRL.M.C. 10209/2024

SUNNY YADAV & ORS. .....Petitioners

Through: Mr. Prakhar Sharma and Ms. Kavya Kakar, Advs. along with P-1.
P-2 & 3 through V.C.

versus

THE STATE GOVT OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Digam Singh Dagar, APP for State with SI Praveen Kumar, PS Nangloi, Delhi.
Mr. Deepak Rajwar, Adv. for R-2 along with R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

O R D E R

% **24.12.2024**

CRL.M.A. 39141/2024 *(exemption)*

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.C. 10209/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.371/2022 under Sections 498A/406/34 IPC registered at Police Station Nangloi, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. Issue notice. Mr. Digam Singh Dagar, the learned APP appearing on behalf of the State, as well as, Mr. Deepak Rajwar, learned counsel appearing on behalf of the respondent no.2 accepts 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 whereas petitioner nos.2 and 3 who are close relatives of the petitioner no.1 have joined through VC. They have been identified by their respective counsel, as well as, by the Investigating Officer, i.e., S.I. Praveen Kumar, P.S. Nangloi, Delhi.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 24.04.2021 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. 30.06.2021. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Compromise-Cum-Settlement Deed dated 23.07.2024, which is annexed as Annexure P-3 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.

10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.20,00,000/- 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.15,00,000/- 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.5,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.288056 dated 09.12.2024 issued by Union Bank, Sector 16, Rohini, Delhi.

11. The receipt of entire amount of Rs.20,00,000/- 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.371/2022 under Sections 498A/406/34 IPC registered at Police Station Nangloi, 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.

VIKAS MAHAJAN, J

DECEMBER 24, 2024

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