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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 20th March, 2025

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CRL.M.C. 1020/2025

SANDEEP SHANKAR BHATTACHARYA @ ARMAAN

SHANKAR SHARMA AND ORS

.....Petitioners

Through: Counsel for Petitioners (appearance
not given) with Petitioners.

versus

STATE THROUGH SHO AND ANR

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Sandeep Singh, PS Ghazipur.
Counsel for Respondents (appearance
not given) with Respondents.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. The Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C., 1973'*) and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioners, seeking to quash the FIR No. 507/2021 for the offence under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Ghazipur, Delhi and all the proceedings arising therefrom.
2. Issue notice.
3. Mr. Shoaib Haider, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. ***Brief facts of the case*** are that the marriage was solemnized between Petitioner No. 1 and the Respondent No. 2 on 16.01.2014, according to the Hindu rites and ceremonies and one girl child was born from the said wedlock. However, due to certain matrimonial discords and differences,



they are living separately from each other since 04.11.2020.

5. It is further submitted that on 09.10.2021, on the Complaint of the Respondent No. 2/wife, an FIR No 507/2021 for the offence under Section 498A/406/34 of the IPC got registered at Police Station Ghazipur, Delhi.

6. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at mediated Settlement dated 20.07.2024 in Delhi Mediation Centre, Karkardooma Courts wherein it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent in accordance with law as provided under Section 13B of the Hindu Marriage Act, 1955.

7. It was further agreed that the Petitioner No. 1 shall pay an amount of Rs.5,00,000/- to the Respondent No. 2/wife towards full and final settlement for her maintenance (past, present and future), permanent alimony, jewellery, stridhan etc. and the wife undertakes not to put forth any further claim towards the same in future at any stage.

8. It is stated that the settled amount of Rs.5,00,000/- has already been paid by the Petitioner No. 1 to the Respondent No. 2.

9. It is also stated that on 28.11.2024, the marriage between Petitioner No. 1 and the Respondent No. 2, had been dissolved as per the Hindu law vide Decree dated 28.11.2024.

10. In view of the Settlement Deed dated 20.07.2024, the present Petition has been filed.

11. The Statement of the parties have been recorded before the learned Joint Registrar. The parties are present before this Court through video-conferencing today, and have been identified by their learned Counsel and



Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily. The parties also undertake to remain bound by the terms of the Settlement.

12. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 20.07.2024 and thus, no fruitful purpose will be served in continuing with the aforesaid FIR.

13. The present Petition has been signed by the Petitioners and is supported by his Affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 20.07.2024 and they also submit that the said Settlement Deed dated 20.07.2024 has been arrived at between the parties, without any pressure and coercion.

14. Today, the Respondent No. 2/wife, who is present through VC, states that she has received all amounts due to her and has no objection if the FIR is quashed.

15. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

16. Moreover, there is no legal impediment in quashing the aforesaid FIR in question. The parties have one minor child whose custody is agreed to be with the Respondent No. 2. It is hereby, clarified that the settlement *inter se* the parties shall be without prejudice to the rights of the child.

17. Accordingly, FIR No. 507/2021 for the offence under Section 498A/406/34 of the IPC got registered at Police Station Ghazipur, Delh and



all consequential proceedings emanating therefrom are quashed.

18. The Petition stands disposed of.

(NEENA BANSAL KRISHNA)
JUDGE

MARCH, 20, 2025/RS