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

+ **CRL.M.C. 1424/2024**

PRATEEK NAGPAL AND ORS

.....Petitioners

Through: Mr. Mahesh Verma, Adv.
Petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Ashwini Kumar SI Vikash Fageria
PS Rajouri Garden
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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20.02.2025

CRL.M.A. 5633/2024 (exemption)

17. Allowed, subject to all just exceptions.

18. Application stands disposed of.

CRL.M.C. 1424/2024

19. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.759/2020 under Sections 498A/406/34 IPC registered at Police Station Rajouri Garden, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

20. Notice in the petition was issued *vide* order dated 21.02.2024. The



learned APP for the State 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.

21. 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 learned counsel for the petitioner, as well as, by the Investigating Officer SI Ashwini Kumar, SI Vikash Fageria PS Rajouri Garden.

22. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 07.12.2013 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.

23. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. December, 2019. The dispute between the parties also led to the registration of present FIR.

24. During the pendency of the proceedings, the parties had arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 10.02.2021, which is annexed as Annexure P-2(colly) to the present petition.

25. 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 28.01.2022, which is annexed as Annexure P-3 to the present petition.

26. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.11,00,000/- 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. The entire amount of Rs.11,00,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner stated in the settlement.

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

28. The respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed.

29. 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.

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

31. Consequently, the petition is allowed and the FIR No.759/2020 under Sections 498A/406/34 IPC registered at Police Station Rajouri Garden, Delhi, alongwith all other proceedings emanating therefrom, is quashed.

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

33. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

FEBRUARY 20, 2025

N.S. ASWAL