



\$~46

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5573/2024**

RAJESH KUMAR AND ORS.Petitioners

Through: Appearance not given.

versus

THE STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Arvind Verma, PS. Gokalpuri.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

24.02.2025

CRL.M.A. 21273/2024 (exemption)

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

CRL.M.C. 5573/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.396/2016 under Sections 498A/406/34 IPC registered at Police Station Gokalpuri, 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) and the petitioner nos. 2 to 4, 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, as well as, by the Investigating Officer SI Arvind Verma, PS. Gokalpuri.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 18.02.2012 according to Hindu Rites and Customs. No child was born out of the said wedlock.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately since 2015. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties have referred to Delhi Mediation Centre, Karkardooma Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Compromise/Settlement Deed dated 06.02.2018, which is annexed at page no.215 of 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 16.02.2019 which is annexed at page no.212 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.2.50 lacs 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. in the manner as mentioned in the settlement. The entire amount of Rs.2.50 lacs has already been paid to the respondent no.2 by the petitioner no.1.



11. The receipt of entire amount of Rs.2.50 lacs 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.396/2016 under Sections 498A/406/34 IPC registered at Police Station Gokalpuri, 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

FEBRUARY 24, 2025/dss