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

+ CRL.M.C. 6351/2024

DEEPAK BUDHIRAJA

.....Petitioner

Through: Mr. Lakshay Joshi Adv. along with
petitioner.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Aman Usman, APP for State with
S.I. Jitender Kumar, P.S. Anand
Parbat, Delhi.
Mr. Hirandra Kumar, Adv. for R-2
along with R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

30.01.2025

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1. The learned counsel appearing on behalf of the petitioner at the outset submits that he has filed an application seeking impleadment of co-accused as petitioner nos.2 and 3, however, the said application is not on record.
2. He submits that the present FIR was registered at the instance of the respondent no.2 wherein, apart from the present petitioner, his father, mother as well as brother have been arraigned as accused.
3. He submits that during the pendency of proceedings, the father of the petitioner has passed away, therefore, the proceedings against him have abated.



4. On the oral request of the petitioner, the mother and brother of the petitioner are arrayed as petitioner nos.2 and 3 in the present petition. The amended memo of parties has been handed over at Bar and the same is taken on record.
5. The present petition has been filed under Section 528 CrPC seeking quashing of FIR No.125/2022 under Sections 498A/406/34 IPC registered at Police Station Anand Parbat, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
6. Issue notice. The learned APP appearing on behalf of the State accepts notice. Likewise, the respondent no.2, who is present in court, also accepts notice. The learned APP 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.
7. The petitioner no.1 (former husband), 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 i.e. S.I. Jitender Kumar, P.S. Anand Parbat, Delhi.
8. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 29.01.2020 according to Hindu Rites and Customs.
9. On account of temperamental issues certain disputes arose between the parties and they started living separately since May 2020. The dispute between the parties also led to the registration of present FIR.
10. During the pendency of proceedings, the parties were referred to Delhi Mediation Centre, Tis Hazari Courts, Delhi, where they arrived at a



settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding (MOU) dated 25.10.2023, which is annexed as Annexure P-2 to the present petition.

11. 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 10.04.2024, which is annexed as Annexure P-4 to the present petition.

12. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.3,00,000/- 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 said amount of Rs.3,00,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement.

13. The receipt of entire amount of Rs.3,00,000/- is acknowledged by the respondent no.2, who is present in court.

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

15. 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.

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

17. Consequently, the petition is allowed and the FIR No.125/2022 under Sections 498A/406/34 IPC registered at Police Station Anand Parbat, Delhi alongwith all other proceedings emanating therefrom, is quashed.



18. The petition stands disposed of in the above terms.
19. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 30, 2025

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