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

+ **W.P.(CRL) 2529/2024**

ABHISHEK SOLANKI

.....Petitioner

Through: Mr. Brijesh Kr. Sharma and Ms.
Sheetal Ojha, Advocates along with
Petitioner in person

versus

THE STATE NCT OF DELHI AND ANR & ORS.Respondents

Through: Mr. Yasir Rauf Ansari, ASC for State
with Mr. Alok Sharma and Mr. Vasu
Agarwal, Advocates along with SI
Subah Singh, PS: Karawal Nagar
Mr. Chirag Anand, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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06.02.2025

1. This petition has been filed under Article 226 of the Constitution read with Section 482 of Code of Criminal Procedure, 1973 ('Cr.P.C.') seeking quashing of FIR. No. 0726/2021, under Sections 498A/406//34 of the Indian Penal Code, 1860 ('IPC') & under Section 4 of the Dowry Prohibition Act, 1961 ('Act of 1961') registered at P.S. Karawal Nagar on the ground of settlement.

2. The subject FIR has been filed on the complaint of the Respondent No. 2 arising out of matrimonial disputes among the Petitioner and Respondent No. 2. It is the case of the Petitioners that the parties have settled all their disputes in the terms of the Mediation Settlement Deed dated



09.02.2023 ('Settlement Agreement'), which has been filed as Annexure P-2 to the petition. As per the terms of the settlement, a sum of Rs. 14 lakhs are payable to the Respondent No. 2 by the Petitioner towards the permanent alimony.

3. Learned counsel for the Petitioner states that a sum of Rs. 10 lakhs already stand paid and for the balance amount of Rs. 4 lakhs, he has handed over a demand draft to the Respondent No. 2 today during the course of the hearing. He states that parties have already obtained a decree of divorce by mutual consent on 15.12.2023. No child was born out of wedlock

4. Petitioner is present in Court and has been identified by the learned counsel for the Petitioner and the Investigating Officer ('IO').

5. Respondent No. 2 is also present in Court and duly accompany with her father Mr. Naresh Singh; and is identified by learned counsel for the Respondent No. 2 and the IO.

6. This Court has interacted with Respondent No. 2. She confirms execution of the settlement agreement and also confirms that she has executed an affidavit dated 09.08.2024 recording her 'No Objection' in support of this petition, which has been annexed with this petition. She undertakes to abide by the terms of the settlement agreement. She confirms receipt of the settlement amount.

7. Learned ASC states that the matter is still pending at the stage of investigation.

8. Considering the above settlement between the parties and the chances of conviction of the Petitioners being remote and bleak, there is no use continuing with the proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden of the State



exchequer. Hence, it would be in the interest of justice to quash the aforementioned FIR and the proceedings pursuant thereto.

9. Consequently, the FIR. No. 0726/2021, under Section 498A/406//34 of IPC & under Section 4 of the Act of 1961 registered at Police Station Karawal Nagar, Delhi and proceedings emanating therefrom are quashed.

10. Parties are bound down to the terms of settlement.

11. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

12. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
FEBRUARY 6, 2025/rhc/AKT