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

+ **CRL.M.C. 6844/2024**

RAKESH VERMA

.....Petitioner

Through: Mr. Rahul Yadav, Ms. Meenakshi
Yadav and Mr. Hemant Sharma,
Advs.

versus

STATE OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Bharat Singh, PS. Uttam
Nagar.
Ms. Bhumika Gaba and Mr. Varun
Lohchab, Advs. for R-2 along with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
10.01.2025

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CRL.M.A. 26166/2024 (exemption)

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

CRL.M.C. 6844/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.171/2023 under Sections 498A/406/34 IPC registered at Police Station Uttam Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Notice was issued in the present petition on 02.09.2024.
5. 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.

6. The petitioner no.1 (former husband), as well as, respondent no. 2 (former wife), who is present in court, have been identified by their respective counsel, as well as, by the Investigating Officer SI Bharat Singh, PS. Uttam Nagar.

7. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 21.12.2008 according to Hindu Rites and Customs. Out of the said wedlock, one male child namely Master Honey was born, who is presently in the care and custody of the respondent no.2.

8. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. August 2012. The dispute between the parties also led to the registration of present FIR.

9. During pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Tis Hazari Courts, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 28.03.2017, which is annexed as Annexure P-2 to the present petition.

10. 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 16.05.2018, which is annexed as Annexure P-3 to the present petition.

11. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.4.10 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. 4.10 lacs has already been paid to the respondent no.2 by the petitioner no.1, the receipt of which is acknowledged by the respondent no.2, who is present in Court.

12. The respondent no.2, on a query put 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 of FIR No.171/2023 under Sections 498A/406/34 IPC registered at Police Station Uttam Nagar 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

JANUARY 10, 2025/dss