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

+ **CRL.M.C. 7324/2024**

NITIN SHARMA @ NISHU AND OTHERSPetitioner

Through: Ms. Naiem Jahan Heena, Mr. Raj
Kumar, Advs.

Petitioner nos. 1, 2 and 4 in person.

versus

STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Nawal Kishore Jha, APP for State
with ASI Rajiv Kumar PS Burari
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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30.01.2025

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.988/2021 under Sections 498A/406/34 IPC registered at Police Station Burari, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was issued in the petition *vide* order dated 17.09.2024. 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.
3. The petitioner no.1 (former husband), petitioner no. 2 and 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 the learned counsel



for the petitioners, as well as, by the Investigating Officer ASI Rajiv Kumar PS Burari. The petitioner no.3 who is father of petitioner no.1 is stated to have been passed away.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 29.06.2020 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 20.08.2020. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 11.10.2023, which is annexed as Annexure-3 (colly) to the present petition.

7. 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 20.03.2024, which is annexed as Annexure-4(colly) to the present petition.

8. It is a term of the settlement that the respondent no.2 has waived of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc.

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

10. 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.



11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No.988/2021 under Sections 498A/406/34 IPC registered at Police Station Burari, Delhi alongwith all other proceedings emanating therefrom, is quashed.
13. The petition stands disposed of in the above terms.
14. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 30, 2025

N.S. ASWAL