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

+ CRL.M.C. 8624/2024

ROHIT & ORS.

.....Petitioners

Through: Mr. Akhil Sharma, Adv. with
petitioners in person.

versus

THE STATE GOVT OF NCT DELHI & ANR.Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Sunit PS Jagat Puri
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **14.01.2025**

1. The present petition has been filed under Section 482 CrPC read with Section 528 BNSS, 2023 seeking quashing of FIR No.0170/2017 under Sections 498A/406/34 IPC registered at Police Station Jagat Puri, 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 04.11.2024. 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 nos. 2-5, 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 learned counsel for the petitioner, as well as, by the Investigating Officer SI Sunit PS Jagat Puri.

4. One of the co-accused, namely, Lt. Sh. Hoshiyar Singh is stated to have been passed away.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 22.02.2016 according to Hindu Rites and Customs. Out of the said wedlock, one girl child, namely, Riyashi was born, who is in the custody of respondent no.2.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately since 2016. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement agreement/MoU dated 03.08.2023, which is annexed as Annexure P-2 to the present petition.

8. 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 14.02.2024, which is annexed as Annexure P-3 to the present petition.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.6,00,000/- 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 entire amount of Rs.6,00,000/- has already been paid by the petitioner no.1 to the respondent



no.2 in the manner as mentioned in the settlement.

10. The receipt of entire amount of Rs.6,00,000/- is acknowledged by the respondent no.2, who is present in court.

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

12. 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.

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

14. Consequently, the petition is allowed and the FIR No.0170/2017 under Sections 498A/406/34 IPC registered at Police Station Jagat Puri, Delhi alongwith all other proceedings emanating therefrom, is quashed.

15. The petition stands disposed of in the above terms.

16. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 14, 2025

N.S. ASWAL