



\$~28

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8741/2024**
JATINDER MALIK AND ORS.Petitioners

Through: Mr.Hemant Singh, Adv. (through VC)
Petitioners present in Court.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents
Through: Mr. Nawal Kishore Jha, APP for State
with SI Vikas , PS Inderpuri.
Mr.Tejasvi Goel, Mr.Shiv Charan
Goel, Ms.Pooja, Mr.Amit Dhama,
Mr.Rupesh Sharma, Mr.Mukesh
Goyal, Advs. with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
20.01.2025

CRL.M.A. 33454/2024 (exemption)

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

CRL.M.C. 8741/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.0096/2018 under Sections 498A/406/34 IPC registered at Police Station Inder Puri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a



settlement.

4. Issue notice. The learned APP for the State accepts notice. He 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.

5. 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 and by the Investigating Officer SI Vikas , PS Inderpuri.

16. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 13.04.2015 according to Hindu Rites and Customs. No child was born out of the said wedlock.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately. 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 Mediation Centre, Patiala House Courts where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 28.08.2024, which is annexed as Annexure P-3 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 20.07.2022.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.3,50,000/- 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



has been paid today in the court by the petitioner no.1 by way of Demand Draft bearing No.112822 dated 10.01.2025 issued by Punjab National Bank.

10. The receipt of entire settlement amount of Rs. Rs.3,50,000/- is acknowledged by the respondent no.2, who is present in the court.

11. The respondent no.2, on a query put 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.0096/2018 under Sections 498A/406/34 IPC registered at Police Station Inder Puri 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 20, 2025
VLD