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

+ **CRL.M.C. 9110/2024**

KUNAL MAHLAWAT

.....Petitioner

Through: Mr.Abhijat Bhardwaj, Advocate

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Utkarsh, APP for State with SI
Deepak Phogat, PS Chhawla, New
Delhi.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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06.02.2025

1. The matter is taken up today as 05.02.2025 was declared a holiday on account of General Elections, 2025 in Legislative Assembly of NCT of Delhi.
2. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.312/2013 under Sections 307/498A IPC registered at Police Station Chhawla and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
3. 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.
4. 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, as well as, by the Investigating Officer Deepak Phogat.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 31.05.2013 according to Hindu Rites and Customs.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 18.09.2013. 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 the Mediation under the aegis of Mediation Centre, Dwarka Courts, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 24.11.2023, which is annexed as Annexure P-4 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 17.02.2024, 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.6,50,000/- 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. However, after further deliberations the settlement amount has been enhanced to Rs.7,00,000/-. The entire amount 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.7,00,000/- 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.312/2013 under Sections 307/498A IPC registered at Police Station Chhawla 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

FEBRUARY 6, 2025/SV