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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9168/2024
NISHANT MEHTAPetitioner
Through: Mr. Dinesh Masant, Adv.

versus

THE STATE (GOVT. OF N.C.T. OF DELHI)Respondent
Through: Mr. Nawal Kishore Jha, APP for State
with SI Amit Kumar and ASI Urmila,
PS. Moti Nagar.
Mr. Kishore Kumar, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
10.01.2025

1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.42/2021 under Sections 498A/406/34 IPC registered at Police Station Moti Nagar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was issued in the present petition on 22.11.2024.
3. 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.
4. The petitioner no.1 (former husband) and the petitioner nos.2 and 3, who are close relatives of petitioner no.1, as well as, respondent no. 2 (former wife) are present in Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Amit Kumar



and ASI Urmila, PS. Moti Nagar.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 10.12.2017 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 w.e.f. March 2019. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have referred to Delhi Mediation Centre, Tis Hazari Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Agreement dated 28.05.2024, which is annexed as Annexure A-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 30.09.2024, which is annexed 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.2.75 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. Out of the said amount, a sum of Rs. 1.75 lacs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs. 1 lac has been paid to the respondent no.2 today in the Court by the petitioner no.1 by way of Demand Draft bearing No.165730 dated 09.12.2024 issued by Bank of Baroda, Vikaspuri, New Delhi.



10. The receipt of entire amount of Rs.2.75 lacs 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.42/2021 under Sections 498A/406/34 IPC registered at Police Station Moti Nagar 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 10, 2025/dss