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

+ **CRL.M.C. 9948/2024**

KUNAL THAPAR & ORS.

.....Petitioners

Through: Mr. Prashant Gupta, Mr. Deepak
Sharma and Ms. Jyoti Tomar,
Advocates with petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Utkrash, APP for the State with
SI Shivam Malik and SI Ali Akram,
PS Patel Nagar
Mr. Sushil, Advocate for R-2 with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

31.01.2025

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Crl. M.A. 38110/2024 (exemption)

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

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3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No. 684/2015 under Sections 498A/406/34 IPC registered at Police Station Patel Nagar, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived



at a settlement.

4. Learned APP appearing on behalf of the State accepts notice. Likewise, notice is also accepted by learned counsel appearing on behalf of respondent no. 2.

5. 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.

6. Petitioner no. 1 (former husband) as well as petitioner nos. 2 to 5 who are father, mother, brother and sister of the petitioner no. 1, respectively as also the respondent no. 2 (former wife) are present in Court. The parties have been identified by their respective counsel as well as by the IO/SI Shivam Malik, Police Station Patel Nagar, New Delhi.

7. The brief facts of the case are that the marriage between the petitioner no.1 (former husband) and respondent no. 2 (former wife) was solemnized on 09.12.2016 according to Hindu Rites and Customs. Out of the wedlock, the parties have been blessed with one daughter who is now aged about 7 year and is under the care and custody of respondent no. 2.

8. On account of temperamental issues certain disputes arose between the parties and the respondent no. 2 started living separately w.e.f. 30.01.2022. The dispute between the parties also led to the registration of present FIR.

9. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Tis Hazari Courts, Delhi where they arrived at a settlement, terms of which have been recorded into writing in the form of a Settlement Agreement dated 08.05.2024, which is annexed as Annexure-P2 to the present petition.



10. In terms of the aforesaid 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 11.11.2024, which is annexed as Annexure-P3 to the present petition.

11. It is a term of the settlement that petitioner no. 1 shall pay a sum of Rs. 12,00,000/- to the complainant/respondent no. 2 towards full and final settlement of all her claims including *Istridhan*, maintenance (present, past and future) and permanent alimony, etc. Out of the said settlement amount of Rs. 12 lakhs, the respondent no. 2 has already received Rs. 9 lakhs.

12. As per the terms of the settlement, petitioner has handed over a sum of Rs. 3 lakhs by way of two Demand Draft Nos. 327523 and 327524 both dated 05.12.2024 for a sum of Rs. 1,50,000/- each drawn on Yes Bank issued in favour of respondent no. 2. The said Demand Drafts have been accepted by the respondent no. 2 today in Court.

13. The respondent no.2 who is present in Court, on a query posed by the Court, affirms the factum of settlement as above and states that she has no objection in case the FIR is quashed. She also acknowledges having received the entire settlement amount as per the settlement.

14. 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.

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

16. Consequently, the petition is allowed and the FIR No. 684/2015 under Sections 498A/406/34 IPC registered at Police Station Patel Nagar, New



Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

JANUARY 31, 2025

‘rs’

VIKAS MAHAJAN, J