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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9984/2024**
PANCHAM SAH AND ANR.Petitioners

Through: Mr. Vivek Sansanwal, Mr. Vishal
Kumar Choudhary and Ms. Versha
Chhoker, Advs.

versus

STATE OF NCT DELHI AND ANR.Respondents
Through: Ms. Shubhi Gupta, APP for State with
SI Sheetal, PS. Alipur.
Mr. Varun Mittal and Mr. Akash
Rawat, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
24.02.2025

1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.919/2021 under Sections 498A/406/34 IPC registered at Police Station Alipur and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice. She 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) and the petitioner no.2, who is the mother of the 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 Sheetal, PS. Alipur.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 30.05.2014 according to Hindu Rites and Customs. Out of the said wedlock, two children namely, Komal Sah and Gaurav Sah were born, who are presently in the care and custody of the respondent no.2.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 29.08.2020. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Agreement dated 02.07.2024, which is annexed as Annexure P-2 to the present petition.

7. 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 11.11.2024, which is annexed as Annexure P-3 to the present petition.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.5 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. 3 lacs has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. Out of the remaining amount, 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.857904 dated 15.02.2024 issued by Canara Bank, Vasant Kunj Branch, New Delhi. The balance amount of settlement of Rs. 1 lac is payable at the time of quashing of another FIR No. 15/2022 under Sections 498A/406/34 IPC at Police Station Mahila Thana, Banka, Bihar, registered at the instance of the respondent no.2.

9. The receipt of entire amount of Rs. 4 lacs is acknowledged by the respondent no.2, who is present in court.

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

11. 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.

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

13. Consequently, the petition is allowed and the FIR No.919/2021 under Sections 498A/406/34 IPC registered at Police Station Alipur alongwith all other proceedings emanating therefrom, is quashed.

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

15. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

FEBRUARY 24, 2025/dss