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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 10055/2024

SHRI JITENDER SINGH & ORS.

.....Petitioners

Through: Mr. Parmil Kumar and Mr. A.K.
Sharma, Advs.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State with ASI Budhpal PS. Harsh
Vihar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

22.01.2025

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1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.377/2023 under Sections 498A/406/34 IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 registered at Police Station Harsh Vihar 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 20.12.2024.
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 respondent no. 2 (former wife), who are present in Court, whereas the petitioner nos. 2 to 6 (close relatives of petitioner no.1), who have joined through VC, have been



identified by their respective counsel, as well as, by the Investigating Officer ASI Budhpal PS. Harsh Vihar.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 10.02.2019 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. 09.10.2022. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding/Settlement Deed dated 16.08.2024, which is annexed as Annexure P-2 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 14.11.2024, 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.11.50 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. 7.50 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. 4 lacs has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.024615 dated 16.12.2024 issued by Axis Bank.



10. The receipt of entire amount of Rs.11.50 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.377/2023 under Sections 498A/406/34 IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 registered at Police Station Harsh Vihar 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 22, 2025/dss