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

+ **CRL.M.C. 10093/2024**

SUNIL RAWAT

.....Petitioner

Through: Mr. Y.P. Uniyal, Mr. Nitin Darmora
and Ms. Anchal, Advocates

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Utkrash, APP for the State with
SI Paras Dhyani, PS Hazrat
Nizamuddin
Mr. Amit Riyar and Mr. Pankaj Riyar,
Advocates for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

06.02.2025

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Crl. M.A. 38715/2024 (exemption)

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

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3. 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.
4. The present petition has been filed under Section 482, Cr. P.C. 1973 seeking quashing of FIR No. 159/2019 under Sections 498A/406/34 IPC registered at Police Station Hazarat Nizamuddin, New Delhi and all consequential proceedings emanating therefrom on the ground that the



parties have arrived at a settlement.

5. 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.

6. The petitioner no.1 (former husband) and petitioner no .2 (mother of petitioner no. 1) as well as the respondent no. 2 (former wife) are present in Court. They have been identified by their respective counsel as well as by the Investigating Officer/SI Paras Dhyani, Police Station Hazrat Nizamuddin, New Delhi.

7. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 24.02.2016 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely – Kanishk Rawat was born who is currently in the care and custody of the petitioners.

8. On account of temperamental issues, certain disputes arose between the parties and respondent no. 2 started living separately w.e.f. 17.06.2019. The dispute also led to the registration of the aforesaid FIR.

9. During the pendency of the proceedings, the parties arrived at a settlement and the terms whereof were recorded in the form of Memorandum of Understanding dated 28.11.2022, a copy of which is annexed as Annexure-P3 to the present petition.

10. 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 20.04.2023, which is annexed as Annexure-P4(Colly.) to



the present petition.

11. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs. 1,10,000/- to the respondent no.2 towards full and final settlement of all her claims regarding maintenance, dowry, *stridhan*, permanent alimony etc. The receipt of entire amount is acknowledged by the respondent no.2, who is present in court.

12. Needless to say that the terms of the settlement will not affect the rights of the minor child who is presently under the care and custody of the petitioners.

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

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. 159/2019 under Sections 498A/406/34 IPC registered at Police Station Hazarat Nizamuddin, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 6, 2025

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