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

+ **CRL.M.C. 10161/2024**

SONU KUMAR & ORS.

.....Petitioners

Through: Mr. Sonu Kumar, Ms. Urmila Devi,
Ms. Shail Kumari, Ms. Sanjana, Mr.
Jai Kishan and Ms. Mohini,
Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. AmanUsman, APP for the State
with SI Satyaveer Singh and W/SI
Mamta, PS Dabri
Mr. Amit Khanna, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

06.02.2025

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1. 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.
2. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No. 572/2023 under Sections 498A/406/34 IPC registered at Police Station Dabri, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
3. 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.

4. The petitioner no.1 (former husband) and petitioner nos. 2 to 5 who are close relatives 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 Satyaveer Singh, Police Dabri, New Delhi.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 16.02.2021 according to Hindu Rites and Customs.

6. On account of temperamental issues certain disputes arose between the parties and the respondent no. 2 started living separately w.e.f. 04.08.2022. The dispute also led to the registration of aforesaid FIR.

7. During the pendency of proceedings, the parties were referred to mediation at Counselling Cell, Family Courts, South-West District, Dwarka, Delhi where the parties arrived at a settlement and the terms of the said settlement were recorded in the form of Settlement dated 02.07.2024, a copy of which is annexed as Annexure-P3 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 11.09.2024, which is annexed as Annexure-P4 to the present petition.

9. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs. 11,00,000/- to the respondent



no.2 towards full and final settlement of all her claims regarding maintenance, dowry, *streedhan*, permanent alimony etc. Petitioner no. 1 has already paid a sum of Rs. 8,00,000/- to the respondent no. 2. The balance amount of Rs. 3 lakhs has been paid to respondent no. 2 today in Court. The receipt of entire amount is acknowledged by the respondent no.2, who is present in court.

10. 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.

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. 572/2023 under Sections 498A/406/34 IPC registered at Police Station Dwarka, South West, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 6, 2025

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