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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 10170/2024**

VIJAY KUMAR SHAHPetitioner

Through: Mr. Muntazir Mehdi, Adv.

versus

THE STATE (N.C.T OF DELHI) & ANR.Respondents

Through: Mr. Hitesh Wali, APP for State with SI
Monu and ASI Rajendra Prasad (I.O).
Mr. Baidyanath Sah, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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24.02.2025

CRL.M.A. 39010/2024 (exemption)

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

CRL.M.C. 10170/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.613/2021 under Sections 498A/406 IPC registered at Police Station Dabri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

4. 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.



5. The petitioner (former husband), as well as, respondent no. 2 (former wife), who are present in Court, have been identified by their respective counsel, as well as, by the Investigating Officer SI Monu and ASI Rajendra Prasad (I.O).

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 18.04.2017 according to Hindu Rites and Customs. Out of the said wedlock, one girl child namely, Niwanshi Shah was born, who is presently in the care and custody of the respondent no.2.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 20.08.2020. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties have referred to Delhi Mediation Centre, Tiz Hazari Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 05.01.2024, which is annexed as Annexure P-5 to the present petition.

9. 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 20.09.2024, which is annexed as Annexure P-6 to the present petition.

10. It is a term of the settlement between the parties that the petitioner shall pay a total sum of Rs.350 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. in the manner as mentioned in the settlement. The entire amount of Rs. 3.50 lacs has already



been paid to the respondent no.2 by the petitioner, receipt of which 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.613/2021 under Sections 498A/406 IPC registered at Police Station Dabri alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 24, 2025/dss