



\$~24

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

+ **CRL.M.C. 10249/2024**

KRISHNA MITTAL AND ORS.

.....Petitioners

Through: Mr. Amit Bhatia, Adv. along with
petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Utkarsh, APP for State with S.I.
Vipin Kumar, P.S. Prashant Vihar,
Delhi.
Ms. Vikas, Adv. for R-2 with R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

29.01.2025

CRL.M.A. 39306/2024 (exemption)

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

CRL.M.C. 10249/2024 & CRL.M.A. 39305/2024 (by the petitioners under Section 528 of BNSS, 2023 seeking interim relief)

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.290/2015 under Sections 498A/406/34 IPC registered at Police Station Prashant Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP appearing on behalf of the State, as well



as, learned counsel appearing on behalf of the respondent no.2 accept notice. 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.

5. The petitioner no.1 (mother-in-law of respondent no.2), petitioner nos.2 and 3 (brother-in-laws of respondent no.2), as well as, respondent no.2 (wife of Late Pankaj Kumar Mittal) are present in the Court and they have been identified by the Investigating Officer i.e. S.I. Vipin Kumar, P.S. Prashant Vihar, Delhi.

6. The brief facts of the case are that the marriage between Mr. Pankaj Kumar Mittal and respondent no. 2 (Ms. Pooja) was solemnized on 07.03.2011 according to Hindu Rites and Customs, however, Mr. Pankaj Kumar Mittal died on 15.12.2014.

7. On account of temperamental issues certain disputes arose between the parties. The dispute also led to the registration of present FIR.

8. During the pendency of proceedings, the parties were referred to Mediation Centre, Rohini District Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 15.05.2024, which is annexed as Annexure P-2 to the present petition.

9. It is a term of the settlement between the parties that the petitioners shall pay a total sum of Rs.5,50,000/- 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.3,00,000/- has already been paid by the petitioners to the respondent no.2 in the manner as mentioned in the settlement. The remaining



amount of Rs.2,50,000/- has been paid to the respondent no.2 today in the court by the petitioners by way of Demand Draft bearing No.923231 dated 10.12.2024 issued by Union Bank, Pitampura, New Delhi.

10. The receipt of entire amount of Rs.5,50,000/- 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.290/2015 under Sections 498A/406/34 IPC registered at Police Station Prashant Vihar, Delhi alongwith all other proceedings emanating therefrom, is quashed.

15. The petition stands disposed of in the above terms. Consequently, pending application stands disposed of.

16. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 29, 2025

aj