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

+ W.P.(CRL) 11/2025 & CrI. M.A. 94/2025

GAURAV DHAKA & ANR.

.....Petitioners

Through: Mr. Vivek Nasa, Advocate with
petitioners in person.

versus

STATE OF N.C.T. OF DELHI THROUGH SHO,
P.S. DWARKA NORTH, DELHI. & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Sanding Counsel for
the State with SI Pooja, PS Dwarka
Mr. D.K. Sharma, Advocate with R-2
in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

03.02.2025

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1. The present petition has been filed under Section 528, BNSS of 2023 seeking quashing of FIR No. 84/2020 under Sections 498A/406/34 IPC registered at Police Station Dwarka North, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. 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.

3. The petitioner no.1 (former husband) and petitioner no.2 (mother of the petitioner no.1) as well as the respondent no. 2 (former wife) are present in Court. They have been identified by the Investigating Officer/SI Pooja,



Police Station Dwarka North, New Delhi.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 02.12.2014 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely Parth Dhaka was born, who is presently in the care and custody of the respondent no.2.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 25.05.2019. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof have been recorded in the form of a Memorandum of Understanding dated 24.08.2024, a copy of which which is annexed as Annexure-P3 (Colly.) to the present petition.

7. As per the terms of settlement, the parties decided to dissolve their marriage by decree of divorce by mutual consent. Accordingly, the parties have taken steps for the same and the first motion petition has already been disposed of and the second motion petition is stated to be pending.

8. It is also a term of settlement that petitioner no. 1 shall pay a full and final amount of Rs. 7 lakhs to the respondent no. 2. Out of the said amount, a sum of Rs. 3,50,000/- has already been paid at the time of disposal of first motion petition. The second instalment of balance amount of Rs. 3,50,000/- shall be payable at the time of disposal of second motion petition.

9. 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.

10. 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.

11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

12. Consequently, the petition is allowed and the FIR No. 84/2020 under Sections 498A/406/34 IPC registered at Police Station Dwarka North, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 3, 2025
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