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

+ **CRL.M.C. 12/2025**

ASHISH BATRA AND ORS

.....Petitioners

Through: Mr. Deepak Arora and Ms. Ruchi Jain, Advs. along with P-1.
P-2 to 4 though VC.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Ajay Vikram Singh, APP with Insp. Rajiv, P.S. Malviya Nagar, New Delhi.

Ms. Fareha Khursheed and Mr. Mujeeb Khan, Advs. for R-2 along with R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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07.01.2025

CRL.M.A. 81/2025 (exemption)

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

CRL.M.C. 12/2025

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.178/2023 under Sections 498A/406/34 IPC registered at Police Station Malviya Nagar, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.



4. Issue notice. Mr. Ajay Vikram Singh, the learned APP appearing on behalf of 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 no.1 (former husband), as well as, respondent no. 2 (former wife) are present in the Court whereas the petitioner nos.2 to 4, who are close relatives of the petitioner no.1, have joined through VC. The parties have been identified by their respective counsel, as well as, by the Investigating Officer, i.e. Insp. Rajiv, P.S. Malviya Nagar, New Delhi.
6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 04.08.2016 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely, Master Aahan Batra was born.
7. On account of temperamental issues, certain disputes arose between the parties and they started living separately w.e.f. 29.04.2021. The dispute between the parties also led to the registration of present FIR.
8. During the pendency of the proceedings, the parties were referred to Counselling Cell, Family Courts, Saket (South), New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of a Settlement dated 27.07.2024, which is annexed as Annexure-G 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 03.09.2024, which is annexed as Annexure-D to the present petition.



10. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.6,50,000/-to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a sum of Rs.4,50,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.2,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.500988 dated 04.11.2024 issued by ICICI Bank, Connaught Place, New Delhi.

11. The receipt of entire amount of Rs.6,50,000/- is acknowledged by the respondent no.2, who is present in the court.

12. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

13. The petitioner no.1, as well as, respondent no.2 undertake to abide by the terms of the aforesaid settlement dated 27.07.2024. The undertaking is taken on record.

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.178/2023 under Sections 498A/406/34 IPC registered at Police Station Malviya Nagar, New Delhi and all consequential proceedings emanating therefrom, is quashed.



17. The petition stands disposed of in the above terms.
18. Order be uploaded on the website of this court.

JANUARY 7, 2025
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VIKAS MAHAJAN, J