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

+ **CRL.M.C. 34/2025**

VIKASH @ VIKASH DESWAL & ORS.Petitioners

Through: Petitioners with their counsel Mr. Basant Kumar Gautam, Mr. Pawan Deep Gautam and Mr. Aniket Kumar, Advs.

versus

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

Through: Mr. Raj Kumar, APP for the State. R-2 with her counsel Ms. Niti Wadhawan, Advs.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

12.02.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter '*BNSS*') has been filed by the petitioners praying for quashing of FIR bearing No. 0021/2020 registered at Police Station Bawana, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').

2. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 12.02.2010 according to Hindu rites and ceremonies. The marriage was duly consummated and two male children namely Aarav and Manvik were born out of the said wedlock. After some time of the marriage, some temperamental differences were arisen



between the petitioners and respondent no.2, due to which respondent no.2 had lodged a complaint and later on, the present FIR got registered against the petitioners. Subsequently, the parties had settled the matter and the marriage between petitioner no. 1 and respondent no. 2 got dissolved by decree of divorce by mutual consent by the learned Trial Court. Accordingly, it is prayed that the present FIR be quashed.6.

3. The petitioners are present before this Court and have been identified by his counsel and Investigating Officer (IO) from Police Station Bawana, Delhi.

4. On a query made by this Court, respondent no.2, who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties and the learned counsel appearing for the petitioners submits that the Settlement Deed dated 22.05.2023, signed by all the parties and affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court have been filed and the same are on record.

5. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, stridhan, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with petitioner No.1 and other family members.

6. Today, the complainant who is present in Court states that she has received the balance amount of Rs.1 lakh *vide* DD No. VJROHT drawn in Bank of Baroda, Rohtak and has no objection if the FIR is quashed.



7. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

8. Accordingly, FIR bearing No. 0021/2020 registered at Police Station Bawana, Delhi for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

9. The petition stands disposed of.

10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 12, 2025/A

Click here to check corrigendum, if any