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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3283/2023

ANKIT GUPTA & ORS.

..... Petitioners

Through: Mr. R.M. Sinha, Mr. A.M. Sinha and
Mr. P.M. Sinha, Advs.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Rajesh Vasisht, Ms. Jyoti
Vashisht, Ms. Bhawna and Mr. Rijul
Sharma, Advs. for R-2. Along with
respondent no.2 in person.
Ms. Richa Dhawan, APP for State
with SI Tej Ram, PS. Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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09.05.2023

1. The present petition has been filed under Section 482 seeking quashing of the FIR No.122/2020 under Section 498A/406 registered at Police Station Uttam Nagar, Delhi and all other consequential proceedings emanating therefrom, on the ground that the petitioner no.1 (former husband) and the respondent no.2 (former wife) have resolved their disputes and entered into a settlement.
2. Issue notice. Learned APP for the State accepts notice.
3. The learned APP submits that since the present FIR arises out of a matrimonial dispute and as the parties have entered into a settlement, the State has no objection, in case, the FIR is quashed.
4. The petitioner no.1 and 2 are present in court and the petitioner no. 3 and 4 have joined through VC. Similarly, the respondent no.2 has also



joined through VC. The parties have been identified by their respective counsels as well as by the Investigating Officer, SI Tej Ram, PS. Uttam Nagar, Delhi.

5. The brief facts of the case are that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 27.06.2017. Some disputes arose between the parties which led to the registration of the present FIR.
6. Now, a settlement (Annexure P-2) has been arrived at between the parties before the Counselling Cell, Family Court, Dwarka, whereby the parties have settled all their disputes.
7. In terms of the settlement, marriage between the parties was dissolved by a decree of divorce by mutual consent on 27.09.2022.
8. It was agreed between the petitioner no.1 and respondent no.2 that the petitioner no.1 shall pay to the respondent no.2, a sum of Rs.9 lacs and also return the items like clothes etc., of the respondent no.2 as full and final settlement.
9. An amount of Rs.6 lacs has already been paid by the petitioner no.1 to the respondent no.2, the receipt of which acknowledged by the respondent no.2. The balance amount of Rs.3 lacs has been paid today by way of an account payee cheque bearing no. 000030 dated 09.05.2023 drawn on HDFC Bank, H Block, Opposite Celebrity Homes, Palam Vihar, Gurgaon PIN-122017, Haryana drawn in favour of Ms. Monica Bansal, which has been handed over by the petitioner no.1 to the father of the respondent no.2, who is present in court and is identified by the Investigating Officer (I.O).
10. On a query made by this court, the respondent no.2 has stated that she



has entered into compromise out of her own free will and without any pressure, coercion or threat. She further states that she has no objection, in case, the FIR is quashed.

11. In view of the fact that the parties have amicably settled their disputes out of their own free will and without any coercion, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

13. There is otherwise no legal impediment in quashing the present FIR in question. Accordingly, subject to the clearance of the aforesaid cheque, which has been handed over to the father of the respondent no.2, the FIR No.122/2020 under Section 498A/406 registered at Police Station Uttam Nagar, Delhi is quashed along with and all other consequential proceedings emanating there from.

14. The petition stands disposed of.

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

VIKAS MAHAJAN, J

MAY 9, 2023/dss