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

+ **CRL.M.C. 4285/2023**

KARAN SINGH AND ANR.

..... Petitioner

Through: Ms.Ruhi Saksena, Adv. With
petitioners in person.

versus

THE STATE AND ANOTHER

..... Respondent

Through: Mr.Hemant Mehla, APP for the state
with Mr.Dipanshu Meena, Advocate
SI Devender and ASI Asmita, PS
Najafgarh
Mr.B.C.Tyagi, adv. for R-2 with
respondent no.2

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Date of Decision: 02.06.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. Present petition has been filed seeking quashing of FIR No.0612/2019 dated 04.12.2019 registered under Section 498A/406/34 IPC at PS Najafgarh and all the proceedings arising therefrom.
2. Now the parties have settled the matter before the Mediation Centre, Dwarka Courts, New Delhi on 20.07.2022 on the following terms and conditions as follows:

5. After mutual discussions, both parties have voluntarily, peacefully



and amicably settled all their disputes without any coercion, pressure, undue influence, force, misrepresentation or mistake, with respect to the present execution petition as well as above-mentioned connected cases on the following terms and conditions:

a) The complainant/DH/wife and the respondent/JD/husband shall seek divorce by mutual consent.

b) The respondent/JD/husband shall pay a sum of Rs. 8,00,000/- (Rupees Eight Lakhs only) to the complainant/DH/wife towards full and final settlement of all her claims regarding permanent alimony, stridhan and maintenance (past, present and future).

c) The settled sum of Rs. 8,00,000/- (Rupees Eight Lakhs only) shall be paid by the respondent/JD/husband to the complainant/DH/wife in three installments as under:

i) First installment of Rs. 3,00,000/- (Rupees Three Lakhs only) shall be paid by the respondent/husband to the complainant/DH/wife by way of DD, at the time of recording of their joint statement in the first motion petition u/s 13-B (1) of HMA, which shall be jointly filled by them within one month from the date of signing of the present settlement.

ii) Second installment of Rs. 3,00,000/- (Rupees Three Lakhs only) shall be paid by the respondent/husband to the complainant/wife at the time of recording of their joint statement in the second motion petition u/s 13-B (2) of HMA. Both the parties shall move second motion petition for divorce within fifteen days of expiry of the minimum statutory period or any time sooner as per law.

iii) Third installment of Rs. 2,00,000/- (Rupees Two Lakhs only) shall be paid by the respondent/husband/JD to the complainant/wife/DH at the time of quashing of FIR No. 612/19, u/s 498A/406/34 IPC PS Najafgarh, before the Hon'ble High Court of Delhi. The respondents shall move appropriate petition for quashing of above said FIR before the Hon'ble High Court of Delhi which shall be filed within one month from the date of decree of divorce. The complainant/DH/wife undertakes to appear before the Hon'ble High Court of Delhi and cooperate in the said proceedings.

6. The complainant/DH/wife shall withdraw the present execution petition and the above-mentioned connected case mentioned at Sr. no. 1 and 3 in the list of connected cases, within a week after recording of statement in the first motion petition u/s 13-B (1) of HMA.



7. *It is agreed between the parties that if the complainant/wife/DH violates the terms and conditions of this settlement, then the complainant/wife/DH shall refund double the amount paid by respondent/husband/JD to her and if the respondent/husband/JD violates the terms and conditions of this settlement, then the amount already paid by the respondent/JD/husband to complainant/DH/wife shall be forfeited.*

8. *It is further agreed between the complainant/DH/wife and the respondent/JD/husband that they would not file any case in future against each other and /or their respective family members in connection with this marriage. Both the parties will not be felt with any grievance against each other as well as their respective families.*

9. *Both the parties shall make appropriate statements before the concerned courts and shall cooperate with each other in all the legal proceedings, so as to give effect to this settlement.*

10. *In case any party does not abide by the terms and conditions of this settlement, the other party shall be at liberty to take appropriate action as per law.*

11. *The parties shall be bound by the terms and conditions as mentioned above.*

12. *Both the parties shall bear their respective cost of litigation.*

13. *By signing this settlement, both the parties state that they have no further dispute against each other in respect of the present execution petition and the above-mentioned connected cases and all the disputes and differences in this regard have been amicably settled by them during the mediation.*

3. DD No.274363 dated 18.05.2023 in the sum of Rs.2 lakhs in the name of Babita drawn on Indian Bank, Tilak Nagar has been handed over in court.
4. IO has identified the parties.
5. Since the matter has been settled between the parties, FIR No.0612/2019 dated 04.12.2019 registered under Section 498A/406/34 IPC at PS Najafgarh and all the proceedings arising therefrom are quashed.



6. Petition stands disposed of.

DINESH KUMAR SHARMA, J

JUNE 2, 2023

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