

\$~43

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

+ **W.P.(CRL) 2344/2019**

ASHISH ARORA & ORS

..... Petitioners

Through: Mr Yudhishter Sharma, Mr Ashish
Sehrawat and Ms Poonam Sharma,
Advocates alongwith petitioners in
person.

versus

STATE & ANR

..... Respondents

Through: Mr Rahul Mehra, Standing Counsel
Mr Jamal Akhtar and Mr Amanpreet
Singh, Advocates for R-1.
Ms Gaganpreet Chawla, Advocate or
R-2 with Ms Nancy Hora, respondent
no.2 in person.
SI Manju Yadav, PS Janakpuri.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

23.08.2019

CRL.M.A. 34073/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 2344/2019

2. The petitioners have filed the present petition seeking quashing of FIR No.681/2016 registered with PS Janakpuri under Section 498A/406/34 of the Indian Penal Code, 1860. The petitioners further pray that further proceedings emanating from the said FIR be also quashed.

3. The learned standing counsel appearing for the State states that the

petitioners are the only accused in the FIR. The Investigating Officer is also present in the Court and confirms that the parties have settled their disputes.

4. Respondent no.2 (Ms. Nancy Arora) is also present in the Court and confirms that the parties have entered into a Settlement Agreement dated 27.09.2018. The said settlement was arrived at before the Counselling Cell, Family Courts, Dwarka in Case Nos.2303/2017 and 1108/2017. The copy of the settlement has been placed on record. In terms of the said settlement, the parties had agreed that petitioner no.1 (Shri Ashish Arora) shall pay a sum of ₹20 lakhs as full and final settlement against all claims in three instalments. The concerned parties state that out of the aforesaid sum, a sum of ₹9 lakhs was paid at the time of recording of statement in the First Motion. Further, a sum of ₹6 lakhs was at the time of recording of statement in the Second Motion.

5. In terms of the consensus between petitioner no.1 and respondent no. 2, a divorce by mutual consent has already been granted to the said parties. Petitioner no.1 is required to pay a last tranche of ₹5 lakhs.

6. The petitioners have brought in a demand draft bearing no.541479 dated 21.08.2019 for a sum of ₹2,50,000/- drawn on the State Bank of India, Janakpuri, Delhi and a manager's cheque bearing no.019592 dated 21.08.2019 for a sum of ₹2,50,000/- drawn on HDFC Bank, Janakpuri, New Delhi-110058.

7. The said demand draft and manager's cheque have been accepted by respondent no.2 in full and final settlement of her claims. She further states that she does not have any other claim whatsoever against the petitioners and does not want to pursue the complaint filed by her. The petitioners are also present in the Court and state that they have no other claim against

respondent no.2.

8. In view of the statement made by the petitioners and respondent no.2, the FIR (FIR No.681/2016) and the consequent proceedings arising therefrom are quashed

9. The petitioners and respondent no.2 shall sign a copy of this order as acknowledgment of the statement recorded therein.

10. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

AUGUST 23, 2019

MK