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

+ **W.P.(CRL) 2841/2019**

PANCHAM KARWAL & ORS.

..... Petitioners

Through: Mr Vinay Kumar, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Ms Richa Kapoor, ASC with Ms
Saloni Jain, Advocate for State with
SI Abhishek, ASI Krishan Pal, PS
Amar Colony.
Mr Deepak Gupta, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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09.10.2019

CRL.M.A. 37603/2019 & CRL.M.A. 37604/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 2841/2019

2. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0029/2019 under Sections 498A/406/34 of the IPC registered with PS Amar Colony and all proceedings emanating therefrom, be quashed. The petitioners (except petitioner nos. 2 (Meenakshi Karwal) & 3 (Rajinder Karwal)) are present in the Court and are identified by their counsel. It is stated that petitioner no. 3 is unable to come to Court as he has undergone a hip replacement surgery.

3. Respondent no.2 (Bhawna @ Bhanu Saini) is present in Court and is identified by the Investigating Officer. The concerned parties state that they have since settled all their differences and disputes before the Counselling Cell, Family Court, Saket.

4. In terms of the said settlement arrived at on 21.05.2019, petitioner no.1 and respondent no.2 have agreed to a divorce by mutual consent. Petitioner no.1 had also agreed to pay a total sum of ₹21 lakhs as full and final settlement of all the claims, whether past or future, of respondent no.2.

5. Respondent no.2 states that she has no further grievance against the petitioners. She also states that in terms of the said settlement, she has already received a sum of ₹14 lakhs; ₹7 lakhs at the time of first motion and ₹7 lakhs at the time of second motion. The parties state that decree of divorce has already been passed. She further states that with the receipt of the further sum of ₹7 lakhs, she would also have no further claims against the petitioners.

6. Petitioner no.1 is present in the Court and has handed over a pay order bearing no. 318096 drawn on Bank of Baroda, for a sum of ₹7 lakhs. Respondent no.2 accepts the same as full and final settlement of all her claims.

7. In view of the statement made by the parties, this Court considers that the interest of justice would be served in quashing the FIR in question. Accordingly, the petition is allowed and FIR No.0029/2019 under Sections 498A/406/34 of the IPC registered with PS Amar Colony and all proceedings emanating therefrom, are quashed.

8. The parties shall sign this order as an acknowledgment of their statements recorded herein.

VIBHU BAKHRU, J

OCTOBER 09, 2019/MK