

\$~33

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

+ **W.P.(CRL) 2975/2019**

SH. YASHPAL & ORS.

..... Petitioners

Through Mr Parwaz Rahat, Advocate with all
petitioners except petitioner no.3 (who has
expired)

versus

STATE & ANR.

..... Respondents

Through Mr Piyush Singhal, Advocate for Mr
Ashish Aggarwal, ASC for State.
SI Ashish, P.S. Jyoti Nagar present.
Mr Mahesh Saxena, Advocate for R2 with R2 in
person.
SI Ashish, P.S. Jyoti Nagar present.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

07.02.2020

1. The petitioners have filed the present petition, *inter alia*, praying that FIR No. 0334/2017 under Sections 498-A/406/34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 registered with PS Jyoti Nagar and all proceedings emanating therefrom, be quashed.
2. The said FIR was registered at the instance of respondent no.2. She is present in Court and is identified by the Investigating Officer. She states that she had filed the aforesaid FIR in view of matrimonial disputes that had arisen between her and her husband (petitioner no.1). She states that she has

since resolved all her disputes with her husband in terms of the settlement arrived at on 20.07.2018, before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

3. In terms of the settlement, the petitioner no.1 was required to pay a sum of ₹3,20,000/- in full and final settlement of respondent no. 2's claims. She acknowledges that she has already received a sum of ₹2,20,000/- and with the receipt of the balance amount of ₹1,00,000/-, she would have no further claims against the petitioners.

4. All the petitioners are present in Court except petitioner no.3. It is informed to this Court that petitioner no.3 has since expired. The petitioners present in court are identified by their counsel. The petitioners have handed over a sum of ₹1,00,000/- in cash to respondent no.2 and she acknowledges the receipt of the same in full and final settlement of all her claims.

5. It is stated that respondent no.2 and petitioner no.1 have secured a decree of divorce by mutual consent and their *inter se* disputes do not survive.

6. In view of the statements made by the concerned parties (petitioner no.1 and respondent no.2) this Court considers it apposite to allow the present petition.

7. Accordingly, FIR No. 0334/2017 under Sections 498-A/406/34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 registered with PS Jyoti Nagar and all proceedings emanating therefrom, are quashed.

8. The concerned parties (petitioners and respondent no.2) shall sign this

order as an acknowledgement to the statements recorded herein.

FEBRUARY 07, 2020

pkv

VIBHU BAKHRU, J