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

+ **CRL.M.C. 5553/2019**

SHRI YOGESH GULLIANI Petitioner
Through: **Mr.Rajesh Kumar, Advocate**

versus

STATE (GOVT. OF N.C.T OF DELHI) & ANR Respondents
Through: **Ms.Meenakshi Dahiya, APP for**
respondent-State with SI Gaurav and
SI Yakub
Respondent No.2 in person

CORAM:
HON'BLE MS. JUSTICE SANJEEV NARULA

ORDER
% **26.02.2020**

Vide the present petition, the petitioners seek the quashing of the FIR No.190/2012, PS Ranjit Nagar registered under Sections 498A/406/34/506 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the petitioner and the respondent no.2 and that no useful purpose would be served by the continuation of the proceedings in the present FIR.

The Investigating Officer of the case is present and has identified the petitioner and as being the accused arrayed in the FIR in question and has also identified the respondent no.2.

The respondent no.2 has produced her original proof of identity, photocopy of which is on the record. Today in Court, on interaction with

the parties examination by the Court, she affirms having signed her affidavit in support of the averments made in the petition as well as the settlement dated 28.09.2019 which has been arrived at between her and the petitioner no.1 before the Principal Judge, Family Court, North District, Rohini, Delhi during the course of the proceedings in Ex. No. 90/18 on 28.09.2019. She states that she has signed all these documents voluntarily of her own accord without any duress, coercion or pressure from any quarter.

She further testifies to the effect that in terms of the settlement between her and petitioner no.1, a total sum of Rs.1,35,000/- had been agreed to be paid to her by the petitioner No.1 towards all her claims and the same has been handed over to her by the petitioner No.1 today during the course of present proceedings vide a Demand Draft bearing No.174916 drawn on Punjab & Sindh Bank in her favour. She states that she has no claims remaining against the petitioner. She confirms having understood the implications of the statement made by her and she does not oppose the prayer made by the petitioner seeking the quashing of the FIR in question nor does she want the petitioner to be punished in relation thereto.

In terms of the order dated 17th December, 2019, an affidavit has been placed on record wherein the petitioner has given an undertaking that the settlement dated 28.09.2019 would not affect or limit the rights of the daughter of the deponent namely, Baby- Jhanvi in respect of the property and the assets of the deponent in future.

On behalf of the State, there is no opposition to the prayer made by the petitioner seeking the quashing of the FIR in question in view of the settlement arrived at between the parties.

In as much as the FIR has apparently emanated from a matrimonial

discord between the parties which has been resolved by the dissolution of marriage between the petitioner no.1 and the respondent no.2 and all the claims having been settled, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them as also for the well being of the respondent no.2

In view thereof, the FIR in question and all consequential proceedings emanating therefrom against the petitioner are thus quashed.

The petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 26, 2020

v