

\$~33

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

+ **W.P.(CRL) 145/2020**

AMIT MANN & ORS.

..... Petitioners

Through: Ms Ashwina Dahiya, Advocate along
with all the petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr Rajesh Mahajan, ASC for State
with SI Rajeshwar, PS Palam Village.
Mr Rakesh Sharma and Mr Raj
Dagar, Advocates for R-2 along with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

20.01.2020

CRL.M.A. 1006/2020

1. Allowed, subject to all just exceptions.

W.P.(CRL) 145/2020

2. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0465/2018 under Sections 498A/406/34 of the IPC, registered with PS Palam Village and all proceedings emanating therefrom, be quashed.

3. The said FIR was registered at the instance of respondent no.2. Respondent no.2 is present in the Court and is identified by the Investigating Officer. She states that the said FIR was filed 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 a Settlement Deed dated 06.04.2019, arrived at before the Counselling Cell, Family Courts, Dwarka Courts.

4. In terms of the said settlement, petitioner no.1 had agreed to pay a sum of ₹15 lakhs to respondent no.2 in full and final settlement of all her claims. The said amount was to be paid in three instalments. The first two instalments would be made at the time of the first and second motion in the divorce petition, respectively. The third instalment of ₹5 lakhs was required to be paid at the time of quashing of the FIR in question.

5. Respondent no.2 acknowledges that she had already received a sum of ₹10 lakhs and she and petitioner no.1 have secured a decree of divorce by mutual consent. She states that on receipt of balance ₹5 lakhs, she would have no further claims against petitioner no.1.

6. The petitioners are present in Court and are identified by their counsel. They have handed over a bankers' cheque no.614162 dated 17.01.2020, for a sum of ₹5 lakhs to respondent no.2. The petitioners also state that they have no grievances against respondent no.2. Respondent no.2 has accepted the said cheque as full and final settlement of all her claims and she joins the petitioners in praying that the FIR in question be quashed.

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

8. Accordingly, FIR No.0465/2018 under Sections 498A/406/34 of the IPC, registered with PS Palam Village and all proceedings emanating therefrom, are quashed.

9. The concerned parties (petitioners and respondent no.2) shall sign this order as an acknowledgement of their statements recorded herein.

VIBHU BAKHRU, J

JANUARY 20, 2020
MK