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

+ W.P.(CRL) 191/2020

KAMLESH & ANR.

..... Petitioners

Through: Mr Girish Chander, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr R. S. Kundu, ASC for State with
Hitesh Vali and Mr Shivam Saharan,
Advocate with SI Anuj, PS Lajpat
Nagar, Delhi.
Ms Meena Gupta, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **22.01.2020**

CRL.M.A. 1399/2020

1. Allowed, subject to all just exceptions.

W.P.(CRL) 191/2020

2. The petitioners have filed the present petition, *inter alia*, praying that FIR No. 0127/2018 under Sections 498A/406/34 of the IPC registered with PS Lajpat Nagar 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.

4. Respondent no.2 was married to the son of petitioner no.1, who has since expired. Respondent no.2 states that the said FIR was filed in view of

certain domestic disputes that had arisen between her and her family members. She states that they have since resolved their disputes in terms of the Settlement Agreement dated 16.11.2019 arrived at before the Mediation Centre, Saket Courts pursuant to a reference in CS No.273/2018 captioned '*Kamlesh v. Jabeeta*'. A copy of the Settlement Agreement has been placed on record. The said statement also records that the parties have agreed that the property bearing no. C-498, 3rd Floor, Nanak Chand Basti, Kotla Mubarakpur, New Delhi measuring 32 sq. yards, is a joint ownership property and the first floor of the said property would be given to respondent no.2 after a period of ten years from that date. Respondent no.2 joins the petitioners in praying that the FIR in question be quashed.

5. The petitioners are present in the Court and are identified by their counsel. They confirm that they have settled all their disputes with respondent no.2 in terms of the Settlement Agreement dated 16.11.2019. Petitioner no.1 also states that she would abide by her commitment to transfer the first floor of the property bearing no. C-498, 3rd Floor, Nanak Chand Basti, Kotla Mubarakpur, New Delhi to respondent no.2 after a period of ten years from the date of the said Settlement Agreement. The petitioners further state that they have also agreed that respondent no.2 would continue to reside at the suit property bearing no. 72, Lajpat Nagar, New Delhi-110024.

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

7. Accordingly, FIR No. 0127/2018 under Sections 498A/406/34 of the IPC registered with PS Lajpat Nagar and all proceedings emanating

therefrom, are quashed.

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

VIBHU BAKHRU, J

JANUARY 22, 2020
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