

\$~2

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

+ **CRL.M.C. 406/2020 & CRL.M.A. 5368/2020**

MR. SATISH KUMAR & ORS. Petitioners

Through: Mr. Dalvinder Singh, Adv. with
petitioners in person.

versus

STATE & ANR. Respondents

Through: Ms. Aashaa Tiwari, APP for State
with SI C.B. Sharma, P.S. New
Usmanpur.

Mr. B.S. Arora, Adv. for R-2 with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

12.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 593/2016 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at P.S. New Usmanpur on the ground of a settlement having been arrived at between petitioner no.1 and respondent no.2.
2. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).
3. Learned APP for the State submits that the charge-sheet has been filed against the present petitioners and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that petitioner no.1 and respondent no.2 have settled their disputes vide Memorandum of Understanding dated 25.01.2019. A copy of the same is annexed with the

petition. In terms of the settlement, the marriage between petitioner no.1 and respondent no.2 has been dissolved by a decree of divorce by mutual consent passed by the Family Court, North East, KKD, Delhi on 26.08.2019.

5. The petitioners and respondent no.2 are present in person and have been identified by their respective counsels as well as the Investigating Officer. In terms of the settlement, the petitioners have paid Rs.3.50 lacs to respondent no.2 vide demand draft bearing no. 409372 dated 22.01.2020 drawn on Canara Bank, South Delhi Branch today in Court towards the balance settled amount. Photocopy of the said demand draft has been placed on record. The petition is duly supported by the affidavits of all the petitioners.

6. Respondent no. 2 states that she has entered into the settlement with petitioner no.1 out of her own free will, volition and without any undue force, pressure or coercion. She further states that she has received the entire settled amount and has no objection if the present FIR and the consequent proceedings are quashed against the petitioners.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily and the fact that the marriage between the petitioner no.1 and respondent no.2 has already been dissolved, in my view, no useful purpose will be served in keeping them entangled in the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of. Miscellaneous application is disposed of as infructuous.

11. Dasti.

MANOJ KUMAR OHRI, J

MARCH 12, 2020

ga