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

+ **CRL.M.C. 452/2020**

AMIT CHAUHAN & ORS. Petitioners

Through: Mr. Mahesh Khanna, Advocate
alongwith Petitioner Nos. 1, 3 & 4 in person.

Versus

STATE & ANR. Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Gajender Singh & ASI Kishan Lal
Mr. Prateek Goswami, Advocate with Mr. Sahil
Munjal, Advocate alongwith Respondent No. 2 in
person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% 28.01.2020

CRL.M.A. 1895/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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1. The present proceedings are instituted seeking quashing of FIR No. 105/2018 under Sections 498-A/406/34 IPC registered at Police Station Ranjit Nagar, Delhi on the ground that parties have settled their disputes.
2. Ms. Manjeet Arya, learned APP for the State submits that the charge-sheet has been filed under the aforesaid sections against the petitioners and respondent No.2 is the only complainant/victim.
3. Learned counsel for the petitioners submits that petitioner No. 2 is not present in the Court today as he is bed ridden on account of fracture. He has

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handed over the medical documents of petitioner No. 2 which are taken on record.

4. The petitioners and respondent No.2, who are present in person, are identified by their respective counsels and the Investigating Officer.

5. Learned counsel for the parties submits that they have entered into a settlement on 26.08.2019. A copy of the same is annexed as Annexure A-2(colly) with the petition. In terms of the settlement, the parties have already been granted divorce by mutual consent vide decree of divorce dated 13.12.2019. A copy of the same is annexed as Annexure A-3 (colly) with the petition. As per the settlement, the parties have agreed that the petitioners will not object to the release of Rs.20,00,000/- which are lying deposited vide Manager's Cheque No. 026800 dated 16.09.2019 drawn on HDFC Bank, East Patel Nagar, Delhi to the complainant/respondent No. 2. It is further agreed between the parties that the keys of the room and main gate of the matrimonial home which is lying in the judicial file shall be handed over to the petitioners.

6. The parties shall approach the concerned Court for the aforesaid purpose. In terms of the settlement respondent No. 2, is now, left with no claim whatsoever against the petitioners.

7. Respondent No. 2, who is present in Court, states that she has entered into the settlement agreement with her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.
9. The parties are bound by the statements made in Court today.
10. In view of the facts and since the disputes are matrimonial in nature, no useful purpose will be served in continuance of the proceedings, it is hereby directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.
11. The petition stands disposed of along with the pending application.
12. Order *dasti* to the counsel for the petitioners.

MANOJ KUMAR OHRI, J

JANUARY 28, 2020/p'ma