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

+ **CRL.M.C. 808/2020**

ARVIND KUMAR & ORS.

..... Petitioners

Through: Ms. Prity Mishra, Advocate with Mr.
Ajay Kumar, Advocate alongwith petitioners in
person.

Versus

STATE & ANR.

..... Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Kuldeep Singh, P.S. Mandawali

Mr. Mukesh Kumar, Advocate with respondent
No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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13.02.2020

1. The present proceedings are instituted seeking quashing of FIR No. 399/2016 under Sections 498A/406/506/34 IPC registered at Police Station Mandawali, Fazalpur, Delhi on the ground of a settlement having been arrived at between petitioner no.1 and respondent no. 2.

2. Learned APP for the State, submits that the charge-sheet has not been in the present case and the petitioners are the only accused in the FIR and respondent No.2 is the only complainant/victim.

3. Learned counsel for the petitioner submits that the parties have entered into a settlement vide compromise deed dated 10.10.2018. A copy of the same is annexed with the petition. In terms of the settlement, the marriage between the petitioner and respondent no.2 has been dissolved by a decree of divorce by mutual consent passed by the Family Court, Karkardooma, Delhi on 14.01.2019. In terms of the settlement, remaining

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amount of Rs.1,15,000/- has been handed over in court today to respondent No. 2 by way of a demand draft bearing No. 480001 dated 12.02.2020 drawn on Punjab National Bank. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioner.

4. The Petitioner and respondent No. 2 who are present in person, are identified by their counsels and the Investigating officer.

5. 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 no objection if the present FIR is quashed

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

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

8. In view of the settlement arrived at between the parties voluntarily and the fact that the marriage between 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, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

9. With the above directions, the petition is disposed of.

10. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 13, 2020/p'ma

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