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

+ **CRL.M.C. 1106/2020**

NARESH KUMAR & ORS

..... Petitioners

Through: Mr. Rakesh Kumar, Advocate alongwith
petitioners in person

Versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Dr. M.P. Singh, APP for State with SI
Narendra Singh, P.S. Uttam Nagar
Respondent No. 2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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04.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 461/2017, registered under Sections 498A/406 IPC at Police Station Uttam Nagar (South West) Delhi 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 in the present case.
4. Learned counsel for the petitioners submits that the parties have entered into a settlement on 02.01.2018. In terms of the settlement, remaining amount of Rs.50,000/- by way of demand draft bearing No. 225704 dated 21.01.2020 drawn on Syndicate Bank has been handed over to respondent No. 2, which has been duly received and accepted by her. The

marriage between petitioner no.1 and respondent no.2 has been dissolved by mutual consent vide decree of divorce dated 21.12.2018, a copy of which is placed on record as *Annexure-N*. Learned counsels for the parties further submit that in terms of the aforesaid settlement, respondent No.2 is, now, left with no claim or grievance against the petitioners.

5. The petitioners who are present in person, are identified by their counsel and the Investigating Officer. Respondent no.2 who is present in person is identified by the Investigating Officer.

6. Respondent no. 2, present in person, states that she has entered into the settlement with the petitioners 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 from the petitioners and that her marriage with petitioner No.1 has already been dissolved and she has no objection if the present FIR and all subsequent proceedings arising therefrom are quashed.

7. Learned counsels for the parties submit 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 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.

11. *DASTI.*

MANOJ KUMAR OHRI, J

MARCH 04, 2020/p'ma