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

+ **CRL.M.C. 1398/2020**

SH. MANISH ARORA & ORS.

..... Petitioners

Through: Mr. Rajkiran, Advocate with petitioner
No. 1 in person.

Versus

STATE & ANR.

..... Respondents

Through: Dr. M.P. Singh, APP for State with W/SI
Rinki, P.S. Vivek Vihar
Mr. Gaurav Vashishth, Advocate with respondent
No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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13.03.2020

CRL.M.A. 5392/2020 (Exemption)

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

CRL.M.C. 1398/2020

1. The present proceedings are instituted seeking quashing of FIR No. 363/2017 under Sections 498A/406/34 IPC registered at Police Station Vivek Vihar, Delhi on the ground that parties have settled their disputes.
2. Learned APP for the State, on instructions, submits that the charge-sheet has been filed under the aforesaid sections against the present petitioners and respondent No. 2 is only victim/complainant.

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3. Learned counsel for the petitioners submits that petitioner Nos. 2 to 5 are not present in the Court today, as they are the residents of *Amritsar* for which reason they could not come and further petitioners No. 4 & 5 are aged being 72 & 76 years old.
4. Learned counsel for the petitioners submits that the marriage between petitioner No.1 and respondent No.2 has already been dissolved by mutual consent vide decree of divorce dated 01.05.2017 passed by the Addl. District Judge, Amritsar. A copy of the decree of divorce dated 01.05.2017 is placed on record as *Annexure-B*.
5. Learned counsels for the parties submit that they have entered into a settlement vide *Memorandum of Understanding* on 15.04.2019. A copy of the same is annexed with the petition as *Annexure-C*. In terms of the settlement respondent No.2, is now, left with no claim whatsoever against the petitioner.
6. The petitioner No. 1 and respondent No.2, who are present in person, are identified by their respective counsels and the Investigating Officer.
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.
12. Order *dasti* to the counsel for the parties.

MANOJ KUMAR OHRI, J

MARCH 13, 2020/p'ma