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

+ **CRL.M.C. 1425/2020**

AMIT GUPTA & ORS. Petitioners
Through: Mr. S.K. Alok, Advocate

versus

STATE & ANR. Respondent
Through: Dr. M.P. Singh, APP for State with
I.O.
Mr. Mohit Gemini, Advocate for complainant

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.03.2020

CRL.M.A. 5489/2020 (exemption)

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

CRL.M.C. 1425/2020

1. The present proceedings are instituted seeking quashing of FIR No. 407/2018, registered under Sections 498A/406/34 IPC at Police Station Vasant Kunj, Delhi on the ground of a settlement having been arrived at between the parties.
2. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).
3. Learned counsel for the petitioners submits that petitioner No.3, being bed ridden, is unable to come.

4. Learned APP for the State submits that the charge-sheet has not been filed and the present petitioners are the only accused persons and respondent No.2 is the only complainant/victim in the present case.
5. Learned counsel for the petitioners submits that the parties have entered into a settlement vide Memorandum of Understanding dated 21.10.2019. A copy of the same has been annexed as *Annexure-B* 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 on 24.02.2020. In terms of the aforesaid settlement, respondent No.2 is, now, left with no claim or grievance against the petitioners.
6. The petitioners except petitioner No.3 and respondent No.2, who are present in person, are identified by their respective counsels and the Investigating Officer.
7. 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 she has no objection if the present FIR and all subsequent proceedings arising therefrom are quashed.
8. Learned counsels for the parties submit that no other proceedings are pending between the parties.
9. The parties shall remain bound by their statements made in Court today.

10. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

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

12. ***DASTI.***

MANOJ KUMAR OHRI, J

MARCH 16, 2020

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