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

+ **CRL.M.C. 1458/2020**

SH. BAIDYA NATH SANPUI

..... Petitioner

Through: Mr. S.K. Anand, Advocate alongwith
petitioner in person.

Versus

STATE & ANR.

..... Respondents

Through: Ms. Manjeet Arya, APP for State with
ASI Anita Dagar, P.S. Najafgarh
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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19.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 230/2019, registered under Section 498A IPC at Police Station Najaf Garh, 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 (husband) and respondent no.2 (wife).
3. Learned APP for the State, on instructions, submits that the charge-sheet has not been filed and the present petitioner is the only accused person and respondent No.2 is the only complainant/victim in the present case.
4. Learned counsel for the petitioner submits that the parties have entered into a settlement vide settlement agreement dated 09.01.2020. A copy of the same has been annexed as *Annexure P-3* with the petition. In

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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 06.03.2020. In terms of the settlement the remaining amount of Rs.5,25,000/- has been handed over to respondent No. 2 by way of demand draft bearing No. 006087 dated 04.03.2020 drawn on HDFC Bank. In terms of the aforesaid settlement, respondent No.2 is, now, left with no claim or grievance against the petitioner.

5. The petitioner who is present in person, is identified by his counsel and the Investigating Officer. Respondent No. 2 who is present in person, is also identified by the Investigating Officer.

6. Learned counsel for the petitioner submits that the petitioner's passport is with the Investigating Officer. Let the same be released to the petitioner.

7. Respondent No. 2, states that she has entered into the settlement with the petitioner 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 petitioner 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 19, 2020/p'ma