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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL. M.C. 1590/2020**

NISHANT MUDGIL & ORS Petitioners
Through: Ms. Manoranjani Shah, Advocate.

Versus

STATE GOVERNMENT OF NCT & ANR. Respondents

Through: Dr. M.P. Singh, APP for State with SI
Vikas Tiwari, P.S. Vikas Puri.
Ms. Samvedna Sharma, Respondent
no.2 in person.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER
% **21.07.2020**

CRL. M.A. Nos. 9639-40/2020

1. Exemption is allowed, subject to the condition that the petitioner will file the certified copies of the annexures and the requisite affidavits within 72 hours from the date of resumption of the regular functioning of this Court.

2. Applications are disposed of.

CRL. M.C. 1590/2020

1. By this petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 278/2016 registered under Sections 498A/406/34 IPC at P.S. Vikas Puri on the ground of settlement arrived at between the

petitioner no.1 and respondent no.2.

2. The present FIR is an outcome of a matrimonial dispute between the husband (petitioner no.1) and the wife (respondent no. 2).

3. Dr. M.P. Singh, learned APP for the State, on instructions, submits that in the present FIR, the charge-sheet has been filed against the present petitioners and respondent no.2 is the only complainant.

4. Ms. Manoranjini, learned counsel for the petitioners submits that the petitioners and respondent no.2 have settled their disputes before the Delhi Mediation Centre, Dwarka Court, New Delhi vide Settlement Agreement dated 28.01.2020. She further submits that in pursuance to the settlement, the first motion of divorce has been granted vide order dated 20.02.2020.

5. Respondent no. 2 is present in person and marked her presence through this V.C. hearing. The Investigating Officer (SI Vishal Tyagi) is also present and has identified the respondent no.2.

6. Respondent no. 2 states that she has entered into the settlement with the petitioner no.1 out of her own free will, volition and without any undue force, pressure or coercion. She has received all her *stridhan* articles and now nothing remains to be received. She further states that she has no objection if the present FIR and the consequent proceedings emanating therefrom are quashed against petitioner no.1 and his family members i.e. petitioner nos. 2 and 3.

7. Learned counsels for the parties submit that no other proceedings are pending between the parties. The parties undertake to appear before the concerned court for the second motion.

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

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

10. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

JULY 21, 2020

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