

\$~2

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

+ **W.P.(CRL) 3562/2019**

SUMIT & ANR

..... Petitioners

Through: Mr Tribindh Kumar, Advocate along
with petitioners in person.

versus

THE STATE & ORS

..... Respondents

Through: Mr Amanpreet Singh, Advocate for
Mr Rahul Mehra, Standing Counsel
for State.

Ms Sushma Goyal, Advocate for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

31.01.2020

CRL.M.A. 43332/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 3562/2019

2. The petitioners have filed the present petition, *inter alia*, praying that FIR No. 0383/2017 under Sections 498A/406/337/34 of the IPC registered with PS Ghazipur and all proceedings emanating therefrom, be quashed.

3. The said FIR was registered at the instance of respondent no.2. Respondent no.2 is present in the Court and is identified by the Investigating Officer. She states that she had filed the said FIR in view of matrimonial disputes that had arisen between her and her husband (petitioner no.1). She confirms that she has since resolved all her disputes in terms of Settlement

dated 03.05.2016 arrived at before the Delhi Mediation Centre, Karkardooma Courts, Delhi. A copy of the said Settlement dated 03.05.2019 has been placed on record.

4. In terms of the said settlement between the parties, petitioner no.1 had agreed to pay a sum of ₹3 lakh in full and final settlement to respondent no.2 in respect of all her claims against the petitioners. Respondent no.2 acknowledges that she has already received a sum of ₹2 lakh and states that with the receipt of balance amount of ₹1 lakh, she would have no further claims against the petitioners.

5. In terms of the said settlement, petitioner no.1 and respondent no.2 have secured a decree of divorce by mutual consent.

6. The petitioners are present in the Court and are identified by their counsel. They have today handed over a sum of ₹1 lakh in cash to respondent no.2. She acknowledges the receipt of the same and states that she has no further grievances against the petitioners. She joins the petitioners in praying that the FIR in question be quashed.

7. The petitioners also state that they have no grievances against respondent no.2.

8. In view of the statements made by the concerned parties (petitioners and respondent no.2), this Court considers it apposite to allow the present petition.

9. Accordingly, FIR No.0383/2017 under Sections 498A/406/337/34 of the IPC registered with PS Ghazipur and all proceedings emanating

therefrom, are quashed.

10. The concerned parties (petitioners and respondent no.2) shall sign this order as an acknowledgment of their statements recorded herein.

VIBHU BAKHRU, J

JANUARY 31, 2020
MK