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

+ CRL.M.C. 4532/2018, CRL.M.A. 31562/2018 and CRL.M.A.
2942/2020

VIKRAM YADAV & ORS Petitioners
Through: Mr. Praveen Kumar, Advocate

versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through: Mr. Mukesh Kumar, APP for State with
SI R.P. Singh, P.S. Punjabi Bagh

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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12.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 627/2014, registered under Sections 498A/406/509/506/120B/34 IPC at Police Station Punjabi Bagh, 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 petitioner submits that petitioner No.1, husband of the complainant has expired and the death certificate has been placed on record. Status Report has been handed over confirming the death of the petitioner No.1.

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 13.10.2017 passed by the Principal Judge, Family Courts (West), Tis Hazari Courts, Delhi in HMA No.781/2017. A certified copy of the decree of divorce dated 23.10.2017 is placed on record as Annexure-P2.

5. Learned counsel for the petitioners submits that the parties have entered into a settlement out of court. Although in terms of the settlement, the petitioners were required to pay an amount of Rs.1,00,000/-, however, respondent No.2 submits that in view of the death of petitioner No.1, she is willing to forego the remaining balance of Rs.1,00,000/-.In terms of the settlement, respondent No.2 is, now, left with no claim or grievance against the petitioners.

6. Learned APP for the State submits that the charge-sheet has been filed against the present petitioners and respondent no.2 is the only complainant/victim in the present case.

7. The petitioners, who are present in person, are identified by their counsel and the Investigating Officer. Respondent No.2, who is present in person, is also identified by the Investigating Officer.

8. 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 no objection if the present FIR and all subsequent proceedings arising therefrom are quashed.

9. Learned counsels for the parties submit that no other proceedings are pending between the parties.
10. The parties shall remain bound by their statements made in Court today.
11. 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.
12. With the above directions, the petition is disposed of along with the pending applications.
13. Respondent No.2 has to sign the order in acknowledgment.
14. ***DASTI.***

MANOJ KUMAR OHRI, J

MARCH 12, 2020

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