

\$~44

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

+ CRL.M.C. 6391/2018

GANGANDEEP & ORS

..... Petitioners

Through; Counsel for the petitioners
(appearance not given) along with
petitioners No.1,2,3 & 5 in person.

versus

THE STATE & ANR

..... Respondents

Through: Ms.Manjeet Arya, APP for State with
ASI Udayan Rana, P.S. Raj
Park/Sultanpuri, Delhi.1
R-2/complainant in person along with
her mother.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

11.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 733/2016, registered under Sections 406/498A/34 IPC at Police Station Sultanpuri, Delhi on the ground of a settlement having been arrived at between the parties.
2. Learned counsel for the petitioners submits that petitioner No.4, mother-in-law of respondent No.2, could not remain present in Court today due to her sudden illness. However, all the other petitioners, i.e., petitioners No.1,2,3 & 5 are present in Court today.
3. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).

4. Learned counsel for the petitioners submits that the matter in dispute has been amicably settled between the parties vide settlement dated 17.01.2018 which was entered into between the parties before the Principal Judge, Family Courts (West), Tis Hazari Courts, Delhi during the pendency of proceedings in HMA No.3424/18 for a total sum of Rs.3,25,000/-. The said settlement dated 17.0-1.2018 is placed on record as Annexure-C. It is further submitted that the marriage between petitioner No.1 and respondent No.2 has already been dissolved by mutual consent vide decree of divorce dated 20.10.2018 passed by the Principal judge, Family Courts (West), Tis Hazari Courts, Delhi in HMA No.3424/2018. A certified copy of the decree of divorce dated 20.10.2018 is placed on record as Annexure-B. He further submits that in terms of the said settlement, respondent No.2 is, now, left with no claim or grievance against the petitioners.

5. The petitioners No.1,2,3 & 5, who are present in person, have been identified by their counsel and the Investigating Officer.

6. Respondent No.2/complainant, who is present in person along with her mother, has been identified by the Investigating Officer. She submits 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 that her marriage with petitioner No.1 has already been dissolved and she has no objection if the present FIR and all subsequent proceedings arising therefrom are quashed. Costs of Rs.5,000/- in terms of order dated 29.11.2019 has been paid by the petitioners to respondent No.2 today in Court which has been received and accepted by her.

7. Learned counsels for the parties submit that no other proceedings are pending between the parties.
8. The parties shall remain bound by their statements made in Court today.
9. 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.
10. With the above directions, the petition is disposed of.
11. ***DASTI.***

MANOJ KUMAR OHRI, J

MARCH 11, 2020
'dc'