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

+ CRL.M.C. 74/2024 & CRL.M.A. 298/2024

SURAJ & ORS.

..... Petitioners

Through: Mr. Ajeet Singh, Mr. Sumeet Mandal,
Mr. Vinod Kumar and Mr. Deepak K.
Rana, Advocates with petitioners in
person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Monu PS Mangolpuri, Delhi.
Ms. Kamlesh Sharma, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

28.02.2024

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1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 480/2019 registered under Sections 498A/406/34 IPC at P.S. Mangolpuri, Delhi on the ground that the parties have amicably settled their disputes.
2. The present FIR is an outcome of a matrimonial dispute between the complainant/respondent No. 2 (wife) and petitioner No. 1 (husband) whereas petitioner Nos. 2 to 5 are the in-laws of the complainant.
3. Mr. Nawal Kishore Jha, learned APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the complainant/victim.
4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Settlement/Agreement dated 25.11.2021. In terms



of the settlement, petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 22.08.2022 passed by the Family Court, North-West, Rohini Court, Delhi in HMA No. 1642/2022. It was agreed that a sum of Rs.5,00,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2. It is further submitted that out of the settled amount of Rs.5,00,000/-, remaining balance amount of Rs.2,00,000/- is being paid today through a demand draft bearing number 211879 drawn on Bank of Baroda, M2K Chowk, Rohini Delhi-110085, a photocopy of which has been placed on record. Learned counsel for the petitioners states that petitioner No.1 has filed an affidavit in terms of the decision of the Supreme Court in Ganesh v. Sudhirkumar Shrivastava and Others reported as **2019 SCC OnLine SC 1107** stating therein that the terms of the settlement shall not affect the rights of their minor child.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsels as well as by I.O./ SI Monu PS Mangolpuri, Delhi.

6. Respondent No. 2 states that she has settled her disputes with the petitioners of her own free will, volition and without any coercion. She also acknowledges the receipt of entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the demand draft of Rs.2,00,000/- handed over to her today.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements and undertaking made in Court today.

9. In view of the above facts and since no useful purpose will be served



in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to encashment of aforesaid demand draft of Rs.2 lac.

10. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

FEBRUARY 28, 2024/*rd*