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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 355/2024

HARISH YADAV & ORS.

.....Petitioners

Through:

Mr. Sachin Bansal and Ms. Arti Sharma, Advs. with petitioner No. 1 in person.

Petitioner nos. 2 & 3 through V.C.

versus

NCT OF DELHI & ANR.

.....Respondents

Through:

Mr. Nawal Kishore Jha, APP for State with SI Gurtej Singh, PS J.P. Kalan.

Mr. Arun Singh and Mr. Prashant Godara, Advs. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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24.10.2024

1. By way of present petition, the petitioners seek quashing of FIR No. 0185/2018 registered under Sections 498A/34 of IPC at P.S. Jafarpur Kalan, 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 & 3 are the in-laws of the complainant.
3. Learned APP for the State submits that the petitioners are the only accused persons and respondent No. 2 is the complainant/victim.
4. Learned counsels for the parties submit that the parties have settled their dispute before Counselling Cell, Family Courts, South-West District, Dwarka, Delhi on 19.08.2023. It is stated that in terms of the settlement,



petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 02.12.2023 passed by Principal Judge, Family Court, South-West District, Dwarka Courts, Delhi in HMA No.3282/2023. It is further submitted that out of the total settlement amount of Rs. 22,50,000/-, the balance amount of Rs.7,50,000/- is being paid today through a Manager's Cheque bearing No. 003686 dated 22.10.2024, drawn on HDFC Bank, Farukh Nagar-122506. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. The petitioner No. 1 and respondent No. 2, who are present in the Court and petitioner Nos. 2 & 3, who have joined through V.C., have been identified by their respective counsels and the Investigating Officer/ SI Gurtej Singh, PS J.P. Kalan. The petitioner No.1 who is present in court states that though in the settlement agreement, it was stated that the rights of the minor child, who is in the custody of petitioner No. 1 (father), as available under the law, shall remain unaffected by the terms of settlement. Today petitioner No. 1 reiterates that he will abide by the terms of this settlement, wherein it was stated that the rights of the minor child shall remain unaffected.

6. Respondent No.2 states that she has entered into the aforesaid settlement with her own free will, volition and without any coercion. She submits that she is satisfied with the amount given in the settlement. She further states that she has no objection if the present FIR and consequent proceedings are quashed subject to encashment of the aforesaid Manager's Cheque handed over to her today.



7. Learned counsels for the parties submit that no other proceedings are pending between the parties.
8. The parties shall remain bound by the statements 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 the aforesaid Manager's Cheque of Rs.7,50,000/-.
10. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

OCTOBER 24, 2024

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