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

+ CRL.M.C. 478/2024

HIMANSHU PATHAK & ANR.

.....Petitioners

Through: Mr.Rajesh Kumar Singh, Advocate with
petitioners in person

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr.Shoaib Haider, APP for State with
SI Neelam

Mr.Rajesh Kr., Advocate for respondent No.2 with
respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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30.09.2024

CRL.M.A. 29570/2024 (impleadment)

1. By way of present application, the applicants seek impleadment as petitioner Nos.3 & 4.
2. Issue notice.
3. Learned APP for the State as well as learned counsel for the complainant accept notice and submit that they have no objection to the same.
4. For the reasons stated in the application and in view of the no objection given by the other side, the same is allowed and the applicants *Kanchan Goswami and Nidhi Pathak* are impleaded as petitioner Nos.3&4. Amended memo of parties is taken on record.
5. In view of the above, the application is disposed of.



CRL.M.C. 478/2024

1. By way of the present petition, the petitioners seek quashing of FIR No.0863/2021 registered under Sections 498/406/34 IPC at P.S. Swaroop Nagar, 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 the petitioners wherein petitioner No.1 is the husband and petitioner Nos.2 to 4 are the in-laws of the complainant/respondent No.2.
3. Learned APP for the State submits that the petitioners are the only accused persons and respondent No. 2 is the complainant/victim in the present case. It is also stated that the matter is pending investigation and the chargesheet has not been filed yet.
4. Learned counsels for the parties submit that the parties have settled their dispute vide Memorandum of Understanding dated 07.12.2022. It is stated that petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 21.04.2024 passed by learned Principal Judge, Family Courts, Rohini Courts, Delhi in HMA No.816/2023. In terms of the settlement, respondent No.2 is now left with no claims or grievances whatsoever against the petitioners.
5. The petitioners and respondent No.2, who are present in Court, have been identified by their respective counsels and by the Investigating Officer.
6. Respondent No.2 states that she has entered into the aforesaid memorandum of understanding out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.



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.
10. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

SEPTEMBER 30, 2024

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