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

+ **CRL.M.C. 575/2024 & CRL.M.A. 2349/2024**

SH ROHIT TANWAR AND ANRPetitioners

Through: Mr. K.S. Verma, Mr. Shahrukh Khan
and Ms. Jyoti Verma, Ms. Sachi
Advs. with petitioner no.1

versus

**THE STATE GOVT OF NCT OF DELHI
AND ORS**

.....Respondents

Through: Mr. Amit Ahlawat, APP for the State.
SI Mahendra Yadav, PS V K South
Mr. Sanjeev Sharma, Adv. for
Complainant.

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

ORDER

% **11.11.2024**

1. This petition has been filed seeking quashing of FIR No.309/2018 U/s 498-A/406/34, P.S. Vasant Kunj based on settlement arrived at between the parties dated 11th April 2024, which is on record of this Court.
2. Petitioner no.1 and respondent no. 2 are present in Court and are duly identified by IO and the respective counsels. Appearance of petitioner nos. 2 to 7, who are family members of petitioner no.1, is exempted on oral request of counsel for petitioners.
3. As per the settlement, outstanding balance of Rs.1.25 lakhs is being paid today *vide* a demand draft which has been handed over to respondent no.2, who has duly received it in Court. However, the said draft was originally issued in December 2023 and perusal of draft would show that the same has been revalidated last on 5th September 2024.



4. The marriage of petitioner no.1 and respondent no. 2 resulted in a divorce by decree dated 10th May, 2023. No child was born out of wedlock.
5. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, subject to clearance of the demand draft, FIR No.309/2018 U/s 498-A/406/34, P.S. Vasant Kunj, Delhi and proceedings emanating therefrom are quashed.
6. It is made clear that if there is any difficulty in demand draft being cleared, respondent no.2 shall be at liberty to approach this Court.
7. Parties shall abide by the terms of settlement.
8. Accordingly, the petition is disposed of. Pending application is disposed of as infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 11, 2024/sm