



\$~37

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 758/2023**

**SHRI NITIN KUMAR ALIAS NITIN KUMAR BHANDARI &
ORS.** Petitioners

Through: Mr. Gurpreet Singh Gulati, Advocate
with petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents

Through: Mr. Hitesh Vali, APP for State with
PSI Ridhima, P.S. Model Town and
SI Sangeeta, P.S. S.B Dairy.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

08.01.2024

%

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 733/2014 registered under Sections 498-A/406/34 IPC at P.S. Model Town, 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) and whereas petitioner Nos. 2 to 4 are mother-in-law and sisters-in-law of the complainant respectively.
3. Mr. Vali, learned APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.



4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Memorandum of Understanding dated 02.07.2022. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 12.10.2022 passed by the Family Court, North District, Rohini, Delhi in HMA No. 1890/2022. It was agreed that a sum of Rs.10,00,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2 towards her claims qua maintenance, *stridhan*, alimony, etc. It is further submitted that out of the settled amount of Rs.10,00,000/-, remaining balance amount of Rs.3,00,000/- is being paid today through a demand draft, a photocopy of which has been placed on record.

5. Learned counsel for the petitioners further submits that parties undertake that their minor child namely *Tushika* shall remain unaffected by the aforesaid MOU arrived at between the parties and in this regard affidavits of petitioner No.1 as well as respondent No.2 have been placed on record.

6. Petitioners, who are present in Court, have been identified by I.O./PSI *Ridhima, P.S. Model Town and SI Sangeeta, P.S. S.B Dairy.*

7. Respondent No. 2, who is also present in Court and identified by the I.O., states that she has settled her disputes with petitioner No.1 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.3,00,000/- handed over to her today.

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



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

10. 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.3 lacs.

11. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

JANUARY 8, 2024

ga