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

+ **CRL.M.C. 808/2023**

VAKIL AHMAD AND ORS.

..... Petitioners

Through: Mr. Shashwat Sarin, Advocate with
petitioners in person

versus

STATE GNCT OF DELHI ANR

..... Respondents

Through: Mr.Sanjeev Sabharwal, APP for State
with ASI Om Prakash
Mr.Shahbaz Ahmad Naik, Advocate for
respondent No.2 with respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
13.02.2024

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1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.265/2018 registered under Sections 498A/406/34 IPC at P.S. Sarai Rohilla, 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 10 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 counsel for the petitioners submits that the parties have settled their dispute on 05.07.2022 before Delhi Mediation Centre, Tis



Hazari Courts, Delhi. It is further stated that the marriage between the petitioner and respondent No. 2 has already been dissolved as per Muslim rites and rituals . It was further agreed that a sum of Rs.1,85,000/- would be paid as full and final settlement by petitioner No.1 to respondent No. 2. Out of the said settlement amount, an amount of Rs.1,00,000/- has already been paid and that the remaining amount of Rs.85,000/- is being paid today vide demand draft bearing No.086209 dated 12.02.2024 drawn at Central Bank of India. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. Learned counsel for the petitioners submits that the said demand draft has been issued in the name of Farzana/beneficiary. A perusal of the demand draft would show that the stamp of the bank has been put upon the name of the beneficiary. Learned counsel for the petitioners, on instructions from petitioner No.1 who is present in Court, states that in case, the said demand draft is not encashed, steps would be taken to issue fresh demand draft of the same amount.

6. The petitioners and respondent No.2, who are present in the Court, have been identified by their respective counsels and the Investigating Officer.

7. Respondent No. 2 states that she has entered into the aforesaid Mediation Settlement with 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.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.



9. The parties shall remain bound by the statements 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 the aforesaid Demand Draft. In case, the aforesaid demand draft is not encashed or an alternate demand draft is not handed over to respondent No.2 within 10 days, respondent No.2 shall be at liberty to revive the present proceedings.

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

MANOJ KUMAR OHRI, J

FEBRUARY 13, 2024

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