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

+ **CRL.M.C. 441/2022 & CRL.M.A. 9283/2022**

SANDEEP KUMAR & ORS.

.....Petitioners

Through: Mr. R.P.S. Bhatti (D/681/89),
Advocate along with Petitioners in
person.

versus

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

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Ms. Shabeena Khan (Ghy/494/14),
Advocate for Respondent No. 2
alongwith Respondent No. 2 in
person.
Insp. Randheer Kumar Ravi (D-
4232), PS Civil Lines, North District.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

01.08.2024

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1. The present petition under Section 482 Cr.P.C has been filed by the Petitioners for quashing FIR No.118/2011 dated 28.07.2011, registered at Police Station Civil Lines for offences punishable under Sections 498A/406 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of a matrimonial dispute between the parties.
2. The principal ground on which the present petition has been filed is that the parties were referred to the Counseling Cell, Tis Hazari Courts, Delhi and a Settlement on 24.05.2018 has been entered into between the



parties. As per the Settlement Agreement dated 24.05.2018, the Petitioner No.1/husband has agreed to pay a sum of Rs.6,00,000/- to Respondent No.2/Complainant towards full and final settlement of all her claims in the following manner:-

- a. A sum of Rs.1,50,000/- was received by the Respondent No.2 at the time of recording of statement of First Motion.
 - b. A sum of Rs.2,00,000/- was received by the Respondent No.2 at the time of recording of statement of Second Motion.
 - c. Remaining Rs.2,50,000/- was to be paid to Respondent No.2 during the quashing of the present FIR.
3. The Petitioners and the Respondent No.2/Complainant are present in Court today. The Petitioners have been identified by their Counsel and the Investigating Officer. The Respondent No.2/Complainant has been identified by her Counsel and the Investigating Officer. The Complainant/Respondent No.2 states that she has received the entire amount from the Petitioner No.1/husband and states that she has settled all her matrimonial disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence and states that she does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement and proceedings recorded before this Court.
4. The Settlement Agreement dated 24.05.2018 reveals that there is a minor child – Bhumi out of the wedlock who is residing with the mother. It is made clear that the settlement agreement entered into between the father and the mother cannot take away the right of the minor child to claim



maintenance from father. The mother can claim amounts spent for the child when the child was being single-handedly raised by the mother till the child became a major. The claim can be made in accordance with law.

5. Considering the fact that the dispute is a matrimonial dispute and the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, FIR No.118/2011 dated 28.07.2011, registered at Police Station Civil Lines for offences punishable under Sections 498A/406 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

6. The petition stands disposed of with the above observations, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 1, 2024

S. Zakir