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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1277/2024, CRL.M.A. 5024/2024**

RAJIV KUMAR & ANR. Petitioners
Through: Mr. Pankaj Kumar, Advocate with
petitioners in person.
versus

THE STATE NCT OF DELHI & ANR. Respondents
Through: Mr. Sanjeev Sabharwal, APP for State
Ms. Dharini Windlass, Advocate for
respondent No.2 alongwith
respondent No. 2 and her husband.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
16.02.2024

1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 674/2015 registered under Sections 307/323/506/34 IPC at P.S. Pahar Ganj, Delhi on the ground that the parties have amicably settled their disputes.
2. Mr. Sabharwal, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent No.2 is the complainant/victim in the present case.
3. It is informed that another FIR No. 1036/2014 registered under Sections 498-A/406/34 IPC at P.S. Pahar Ganj, Delhi on the complaint of respondent No.2 against petitioners has also been quashed vide today's order passed in CRL.M.C. 1260/2024.
4. Learned counsel for the petitioners submits that present FIR was



registered out of matrimonial discord between the respondent No.2 and petitioner No.1. He further states that respondent No.2/complainant has already been examined before the Trial Court and in her testimony recorded on 12.09.2019, she deposed that nobody had strangulated her neck with *dupatta* and on that day she had made the allegations on account of confusion as she was mentally distressed.

It is further submitted that the parties have settled their disputes before the Delhi Mediation Centre, Rohini District Courts, New Delhi on 25.01.2019 in pursuance to which they have already been granted divorce by mutual consent vide divorce decree dated 12.09.2019 passed by the Family Court, Central District, Tis Hazari Court, Delhi in HMA No. 1059/2019. In terms of the settlement, it is agreed between the parties that petitioner No.1 shall pay a sum of Rs.10,00,000/- as full and final settlement to respondent No. 2 towards all her claims qua maintenance, strihan, alimony, etc. in respect of both the FIRs i.e. FIR No. 1036/2014 and FIR No. 674/2015. It is further submitted that out of the total settled amount, a sum of Rs.5,00,000/- has already been paid and remaining sum of Rs.5,00,000/- is being paid today to the respondent No.2 through three demand drafts, photocopies whereof have been placed on record. Learned counsel further submitted that respondent No.2 has even re-married. In terms of the said settlement, complainant is now left with no claim or grievance against the petitioners.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsel as well as by the I.O./SI Sunny Khatri, P.S. Vijay Vihar.

6. Respondent No. 2 also states that she has settled the disputes with the petitioners 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 counsel for the petitioners submits except the aforementioned FIRs, no other proceedings are pending between the parties.

8. Considering that insofar as FIR No. 674/2015 registered under Sections 307/323/506/34 IPC at P.S. Pahar Ganj, Delhi is concerned, the complaint in her testimony recorded before the Trial Court has not supported the allegations qua the offence under Section 307 IPC. Further, the dispute arises out of the matrimonial relations between the parties, which has now been settled.

9. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed. The parties shall remain bound by the statements made in Court today.

10. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

FEBRUARY 16, 2024

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