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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1492/2024, CRL.M.A. 5988/2024**

KAPIL UPADHYAY & ORS.

..... Petitioners

Through: Mr. Kisalavya, Advocate with
petitioners in person.

versus

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

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Sandeep Singh, P.S.
Ghazipur.
Respondent No.2 alongwith her
counsel.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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19.03.2024

1. The present proceedings are instituted under Section 482 Cr.P.C. seeking quashing of FIR No. 220/2019 registered under Sections 498A/406/34 IPC at P.S. Ghazipur, 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 8 are the in-laws of the complainant.
3. Mr. Sabharwal, learned APP for the State submits that in the present case 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 disputes vide Memorandum of Understanding dated 13.09.2023. In terms of the settlement, petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 12.12.2023 passed by the Family Court, East District, Karkardooma Court, Delhi in HMA No. 2279/2023. It was agreed between the parties that a sum of Rs.12,00,000/-, as full and final settlement, shall be paid by petitioner No. 1 to respondent No. 2. Out of the settlement amount, the balance amount of Rs.4,00,000/- is being paid today through a demand draft, photocopy whereof has been placed on record.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsel as well as by the IO/SI Sandeep Singh, P.S. Ghazipur.

6. Respondent No. 2 states that she has settled her disputes with the petitioners of her own free will, volition and without any coercion. She also submits that she has no objection in case the FIR is quashed against the petitioners, subject to encashment of demand draft of Rs.4 lacs handed over to her in Court.

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

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

9. 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 aforementioned demand draft.

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



miscellaneous application.

MARCH 19, 2024
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MANOJ KUMAR OHRI, J