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

+ **W.P.(CRL) 746/2024 & CRL.M.A. 6993/2024**

KAPIL AND OTHERS

..... Petitioners

Through: Mr. Rajesh Kumar and Mr. Sanjay Jain, Advocates with petitioners in person.

versus

**THE STATE GOVT. OF NCT OF
DELHI AND ANR.**

..... Respondents

Through: Ms. Nandita Rao, ASC (Crl.) for State with Mr. Jasraj Singh Chhabra, Advocates with WSI Durgesh PS Bindapur, Delhi.
Mr. Manoj Kumar, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

04.03.2024

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No. 144/2023 registered under Sections 498A/406/34 IPC at P.S. Bindapur, 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 5 are the in-laws of the complainant.
3. Ms. Nandita Rao, learned ASC (Crl.) for 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 before the Counselling Cell, Family Courts, Dwarka Court, New Delhi on 08.07.2023. In terms of the settlement, petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 18.12.2023 passed by the Family Court, South West District, Dwarka Court, Delhi in HMA No. 3946/2023. It was agreed that a sum of Rs.6,00,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2. It is further submitted that the balance amount of Rs.2,00,000/- is being paid today through a demand draft bearing number 905184, drawn on PNB, Delhi Road, Bahadurgarh, Haryana-124507, a photocopy of which has been placed on record.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsels as well as by I.O./ WSI Durgesh PS Bindapur, Delhi.

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 the demand draft of Rs.2 lacs handed over today.

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 aforesaid demand draft of Rs.2 lac.

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

MANOJ KUMAR OHRI, J

MARCH 4, 2024/*rd*