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

+ **CRL.M.C. 2267/2023**

SUSHEEM KUSHWAHA

..... Petitioner

Through: Mr. Pawan Kumar and Mr. Satish Kumar, Advocates with petitioner in person.

versus

THE STATE OF NCT DELHI & ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with SI Naveen PS Palam Village, Delhi.

Mr. Narender Singh, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

29.04.2024

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1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioner seeking quashing of FIR No. 077/2017 registered under Section 498-A IPC at P.S. Palam Village, 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 (husband) and respondent No.2/complainant.

3. Mr. Sanjeev Sabharwal, learned APP for the State submits that in the present case petitioner is the only accused and respondent No. 2 is the complainant/victim. He further states that the charge-sheet has been filed in the instant case.

4. Learned counsel for the petitioner submits that the parties have settled



their disputes before the Family Court on 12.02.2019. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 22.02.2019 passed by the Family Court, South West District, Dwarka Courts, New Delhi in HMA No. 519/2019. 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 towards her claims qua maintenance, stridhan, alimony, etc.

5. Petitioner and respondent No.2, who are present in Court, have been identified by their counsel as well as by I.O./ SI Naveen PS Palam Village, Delhi.

6. Respondent No. 2 states that she has settled her disputes with petitioner No.1 of her own free will, volition and without any coercion.

7. Learned counsel for the petitioner 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. Learned counsel for the respondent No.2 states that an amount of Rs.1 lac was received on 23.05.2023 towards maintenance. At this stage, learned counsel for the petitioner has pointed out to the settlement agreement as well as the affidavit sworn by the respondent No.2 wherein it has been specifically mentioned that total settlement has been arrived at for a total sum of Rs.6 lacs towards all her claims which included stridhan, dowry, maintenance towards past present and future and alimony, etc. The affidavit further states that the respondent No.2 has already received a sum of Rs.5 lacs. The balance amount of Rs.1 lac was paid on 23.05.2023. Considering that entire amount has been paid as per the settlement agreement, 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.

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

MANOJ KUMAR OHRI, J

APRIL 29, 2024/rd