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

+ **CRL.M.C. 2729/2023**

VARUN KUMAR & ORS.

.....Petitioners

Through: Mr.N.K. Chaudhary, Mr.Raj Kumar and
Mr.Anupam Jindal, Advocates with petitioners in
person

versus

THE STATE & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with Mr. Kapil Prajapati, Ms. Mansi Gupta,
Mr.Neeraj Baisoya, Ms. Ira Rana and Mr. Dishant
Tiwari, Advocates with Insp. Rajesh Kumar, DIU,
Dwarka and SI Pooran
Mr.Sandip Gupta, Advocate for respondent No.2
with respondent No.2 through V.C.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.09.2024

1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No.0407/2019 registered under Sections 498A/406/34 IPC at P.S. Dabri, 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/respondent No. 2.



3. Learned APP for the State confirms that in the present case, the petitioners are the only accused persons and respondent No.2 is the complainant/victim. He further states that the charge-sheet has already been filed. It is also submitted that the minor child is in the custody of the complainant/respondent No.2.

4. Learned counsels for the parties submit that the parties have settled their dispute on 22.12.2021 before the Mediation Centre, Dwarka Courts, New Delhi. In terms of the settlement, petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 28.11.2023, passed by learned Principal Judge, Family Court, Dwarka, New Delhi in HMA No.3643/2023. Further, it was agreed vide the settlement that the petitioner No.1 will relinquish/transfer his share in the joint property, i.e., *LIG Flat No.28, 2nd Floor, Block-A1, Pocket-2, Sector-G2, Narela, Delhi*, in favour of the complainant/respondent No.2.

5. Learned counsel for the petitioners submits that DDA has carried out the mutation with respect to *LIG Flat No.28, 2nd Floor, Block-A1, Pocket-2, Sector-G2, Narela, Delhi* in the name of the respondent No.2 and in this regard, has referred to the orders dated 11.07.2024 and 22.07.2024 passed by Assistant Director (HS-14/17). Learned counsel, on instructions, submits that the petitioners assure all further cooperation/assistance for the aforesaid purpose, if required.

6. Learned counsel for respondent No.2 also acknowledges the same. It is further submitted that respondent No.2 is now left with no claim whatsoever against the petitioners.

Furthermore, in terms of the settlement, the rights of the minor child, who is in the custody of respondent No.2, are not affected.



7. The petitioners, who are present in Court and the respondent No.2, who has joined the proceedings through V.C., have been identified by their respective counsels and the Investigating Officer.
8. Respondent No.2 states that she has entered into the aforesaid mediation settlement 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.
9. Learned counsels for the parties submit that no other proceedings are pending between the parties.
10. The parties shall remain bound by the statements and undertaking made in Court today.
11. 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.
12. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

SEPTEMBER 9, 2024

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