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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2854/2023**
AVINASH PRATAP AND ANR Petitioners
Through: Mr.Abhay Kumar, Advocate with
petitioners in person

versus

THE STATE AND ANR Respondents
Through: Mr. Sanjeev Sabharwal, APP for State
with SI Akash Kumar
Respondent No.2 in person

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **29.02.2024**

CRL.M.A. 10690/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 2854/2023

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.149/2018 registered under Sections 498A/406/34 IPC at P.S. Bhajanpura, 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 7 are the in-laws of the complainant.
3. Learned APP for the State submits that the 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 dispute vide Settlement Cum Divorce Deed dated 18.11.2020. It is further stated that petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 07.10.2021 passed by the Family Court, Karkardooma Courts, Delhi in HMA No.553/2021. It was further agreed that a sum of Rs.5,00,000/- would be paid as full and final settlement by petitioner No.1 to respondent No.2. Out of the settlement amount, the balance amount of Rs.1,00,000/- is being paid today vide cheque bearing No.000053 dated Nil, drawn on Kotak Mahindra Bank, Vivek Vihar, Delhi. Learned counsel for the petitioners further assures that the said cheque would be encashed upon presentment. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioners.

5. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Respondent No.2, who is also present in the Court, has also been identified by the Investigating Officer.

6. Respondent No.2 states that she has entered into the aforesaid Settlement Cum Divorce Deed with 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 subject to encashment of the cheque 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 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 the cheque handed over today.

10. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

FEBRUARY 29, 2024

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