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

+ **CRL.M.C. 2238/2022**

AMIT SINGH CHOUHAN AND ORS.

.....Petitioners

Through: Mr. Ankit Tandan, Mr. V.P. Masih
and Mr. Hernisha Tandan, Advocates
with Petitioners-in-person

versus

THE STATE, NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Sunita, PS Shahdara

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

22.07.2024

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1. The Petitioners have approached this Court for quashing FIR No.648/2015 dated 18.12.2015 registered at Police Station Shahdara for offences under Sections 498A, 406 & 34 IPC read with Section 4 of the Dowry Prohibition Act on the ground that the parties have entered into a settlement. The proceedings arise out of matrimonial dispute between the parties.

2. It is stated that the parties have settled all their disputes by way of a settlement deed dated 05.08.2019, which has been annexed with the instant petition as Annexure P-3. As per the settlement deed, the parties have decided to part ways and it is stated that they will neither claim any right over each other's property nor will claim any maintenance from each other.

3. It is stated that the marriage between Petitioner No.1 and Respondent No.2 stands dissolved by a decree of divorce by way of mutual consent



before the learned Principal Judge, Family Court, Shahdara, Delhi.

4. Though, the Complainant/Respondent No.2 is not present in Court today. However, she was present in Court on 11.04.2023 and her statement has been recorded by this Court in the said Order. She submitted that she has entered into the settlement dated 05.08.2019 voluntarily without any fear, force or coercion. Similarly, on 06.02.2024 also, Respondent No.2 was present in person and she submitted that she does not like to pursue her complaint against the Petitioners in the present FIR.

5. The Petitioners are present in Court today. They parties have been identified by their Counsel and the Investigating Officer. This Court has also perused the statement given by the Complainant before this Court. The Complainant/Respondent No.2 has also filed an affidavit stating that she has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence and she does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court.

6. In view of the law laid down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303 and in view of the settlement arrived at between the parties since the proceedings arise out of matrimonial disputes, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.648/2015 dated 18.12.2015 registered at Police Station Shahdara for offences under Sections 498A, 406 & 34 IPC read with Section 4 of the Dowry Prohibition Act and the proceedings emanating therefrom are hereby quashed. The



parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

7. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 22, 2024
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