



\$~46

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

+ **CRL.M.C. 3823/2023**

VIKRANT PAWAR & ORS.

..... Petitioners

Through: Ms.Ishu Arora, Advocate with
petitioners in person

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Charan Singh
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

13.03.2024

CRL.M.A. 14359/2023 (exemption)

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

CRL.M.C. 3823/2023

1. By way of present petition filed under Section 482 Cr.P.C. read with Article 227 of the Constitution of India, the petitioners seek quashing of FIR No.311/2016 registered under Sections 498A/406/34 IPC at P.S. Tilak Nagar, 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 6 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 counsels for the parties submit that the parties have settled their dispute vide Memorandum of Understanding dated 24.02.2023. It is stated that the parties have already been granted divorce by mutual consent vide divorce decree dated 28.11.2017 in HMA No. 1556/15. It is further submitted that out of the settled amount, remaining balance amount of Rs.4,00,000/- is being paid today through a demand draft bearing No.029406 dated 11.03.2024 drawn HDFC Bank. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.
5. Learned counsel for the petitioners, on instructions from the petitioner No.1, submits that petitioner No.1 is ready and willing to state that rights of the minor child, who is in the custody of respondent No.2, as available under the law shall remain unaffected by the terms of the settlement. The petitioner No.1, who is present in the Court reiterates the same. In acknowledgement of the said statement, petitioner No.1 and his counsel have signed the order sheets.
6. 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.
7. Respondent No. 2 states that she has entered into the aforesaid Memorandum of Understanding 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 aforesaid demand draft handed over to her today.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements made in Court today.

10. 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 aforesaid demand draft.

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

MANOJ KUMAR OHRI, J

MARCH 13, 2024

na