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

+ **CRL.M.C. 3151/2024**

VIRENDER YADAV & ORS.

..... Petitioners

Through: Mr.Kumar Sharma, Advocate with
petitioners in person

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Chetan
Mr.Sanjay Kumar and Mr.Neeraj Kumar,
Advocates for respondent No.2 with respondent
No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

25.04.2024

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CRL.M.A. 12196/2024 (exemption)

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

CRL.M.C. 3151/2024

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.549/2015 registered under Sections 498A/406/34 IPC at P.S. Swaroop 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 4 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. It is further submitted that chargesheet has been filed in the present case under the aforesaid sections.

4. Learned counsels for the parties submit that the parties have settled their dispute on 12.01.2023 before Counselling Cell, Family Court, Rohini, Delhi. It is stated that petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 09.10.2023 passed by learned Principal Judge, Family Court, Rohini, Delhi in HMA No.2730/2023. It is further submitted that out of the settlement amount, the balance amount of Rs.5,50,000/- is being paid today through a demand draft bearing No.855370 dated 06.02.2024 drawn on Canara Bank. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

Learned counsel for the petitioners further submits that the requisite affidavit in terms of the Supreme Court decision in Ganesh v. Sudhirkumar Shrivastava and Ors. reported as **2019 SCC OnLine SC 1107**, stating therein that rights of the minor child shall remain unaffected by terms of the settlement, has also been placed on record.

5. The petitioners and respondent No.2, who are present in the Court, have been identified by their respective counsels and the Investigating Officer.



6. Respondent No.2 states that she has entered into the aforesaid settlement 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.
7. Learned counsels for the parties submit 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 aforesaid demand draft.
10. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

APRIL 25, 2024

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