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

+ **CRL.M.C. 3272/2024**

SONU SINGH

.....Petitioner

Through: Mr. Ocean Chaudhary, Advocate with
petitioner in person.

versus

STATE & ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Dinesh Kumar PS Nand
Nagri, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

03.09.2024

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1. The present petition has been filed on behalf of the petitioner seeking quashing of FIR No. 670/2014 registered under Sections 498-A/406/174-A IPC and Section 4 of DP Act, at P.S. Nand Nagri, 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 the petitioner (husband).
3. Mr. Nawal Kishore Jha, learned APP for the State submits that in the present case, the petitioner is the only accused against whom charges have been framed and respondent No. 2 is the complainant. He further submits that the charge-sheet has already been filed.
4. Learned counsel for the petitioner submits that the parties have settled their disputes before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 12.09.2022. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 19.08.2023 passed by the Family Court, Shahdara, Karkardooma Courts,



Delhi in HMA No. 1269/2023. It was agreed that a sum of Rs.5,20,000/- shall be paid by the petitioner to the respondent No. 2 as full and final settlement towards her claims qua maintenance, stridhan, alimony, etc. It is further submitted that out of the settled amount of Rs.5,20,000/-, balance amount of Rs.1,70,000/- is being paid today to the respondent no.2 through a demand draft bearing number 317272 drawn on Union Bank of India.

5. Insofar as Section 174-A IPC is concerned, learned counsel for the petitioner submits that the petitioner was not residing at the given address and in this regard, he has placed reliance on the newspaper publication dated 14.05.2014 of the newspaper, '*Rashtriya Sahara*', whereby the petitioner has been declared debarred by his mother. He, therefore, submits that the petitioner could not appear before the Trial Court as he was not aware of the same. Learned counsel further submits that at no point in time, the petitioner intended to disobey and/or not appear before the Trial Court.

6. The petitioner, who is present in Court, has been identified by his counsel as well as by the I.O./ SI Dinesh Kumar, PS Nand Nagri, Delhi.

7. Respondent No. 2, who is also present in Court and identified by the I.O., states that she has settled her disputes with the petitioner out of her own free will, volition and without any coercion. She also acknowledges the receipt of the entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioner, subject to the encashment of the demand draft of Rs.1,70,000/- handed over to her today.

8. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements and undertaking 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 the encashment of the aforesaid demand draft of Rs.1,70,000/-.

11. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

SEPTEMBER 3, 2024/rd