



\$~108

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

+ **CRL.M.C. 3123/2024**

LALIT MITTAL & ORS

..... Petitioners

Through: Mr. Shikha Garg, Ms. Nikita Jain and
Mr. Roshan Kumar, Advocates with
petitioners in person.

versus

NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with WSI Rakhi PS M.S. Park, Delhi.
Mr. Taranpreet Singh, Mr. Dharm
Prakash and Mr. Mohd. Shameem,
Advocates for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.04.2024

%

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 400/2022 registered under Sections 498-A/406/34 IPC at P.S. Mansarovar Park, Shahdara, 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) and petitioner Nos. 2 and 3 are the in-laws of the complainant.
3. Mr. Sanjeev Sabharwal, learned APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the complainant/victim. He further states that though the charge-sheet has been filed against five accused persons, however two of them namely Sushila Mittal and Suresh Chand Mittal have since expired and their death



certificates have been placed on record.

4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Mediation at Tis Hazari Court on 15.09.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 12.01.2024 passed by the Family Court, Shahdara District, Karkardooma Courts, Court, Delhi in HMA No. 67/2024. It was agreed that a sum of Rs.16,00,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2 towards her claims qua maintenance, stridhan, alimony, etc. It is further submitted that out of the settled amount of Rs.16,00,000/-, remaining balance amount of Rs.6,00,000/- is being paid today through a demand draft bearing number 30432 drawn n Canara Bank, Hari Nagar, New Delhi.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their counsel as well as by I.O./ WSI Rakhi PS M.S. Park, Delhi.

6. Respondent No. 2 who is also present in Court and identified by the I.O., states that she has settled her disputes with petitioner No.1 of her own free will, volition and without any coercion. She also acknowledges the receipt of entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the demand draft of Rs.6,00,000/- handed over to her 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 and undertaking 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 aforesaid demand draft of Rs.6 lac.

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

MANOJ KUMAR OHRI, J

APRIL 24, 2024/rd