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

+ CRL.M.C. 4184/2023 & CRL.M.A. 6190/2024

SH. PARAMJEET SINGH AND ORS Petitioners

Through: Mr. S.K. Tyagi, Advocate with
petitioners through VC.

versus

THE STATE THROUGH S.H.O., P.S. NANGLOI, WEST
DISTRICT, DELHI & ANR. & ANR Respondents

Through: Mr. Ashneet Singh, APP for State
with SI Dinesh and SI Sunder Singh
PS Nangloi, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

05.03.2024

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1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 434/2009 registered under Sections 498-A/406/34 IPC at P.S. Nangloi, 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 to 7 are the in-laws of the complainant.
3. Mr. Ashneet Singh, learned APP for the State submits that in the present case, petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Memorandum of Settlement dated 16.09.2023. In



terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 26.05.2011 passed by the Trial Court, in HMA No. 276/2011. It was agreed that a sum of Rs.9,00,000/- 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.9,00,000/-, remaining balance amount of Rs.3,00,000/- is being paid today through two demand drafts bearing numbers 435751 and 435750 drawn on SBI, photocopy of which has been placed on record. He further submits that there is a female child out of the wedlock who is in the custody of respondent No.2. Learned counsel for the petitioners states that petitioner No.1 has filed an affidavit in terms of the decision of the Supreme Court in Ganesh v. Sudhirkumar Shrivastava and Others reported in 2019 SCC OnLine SC 1107 thereby stating that the terms of the settlement arrived at between the parties shall not bind/affect the rights of their minor child.

5. Petitioners, who are present in Court, have been identified by their counsel as well as by I.O./SI Dinesh PS Nangloi, 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.3,00,000/- 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.3 lac.

10. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

MARCH 5, 2024/rd