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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4191/2023**

AMIT KUMAR @ ARORA AND ORS

..... Petitioners

Through: Mr. Rajeev Chhetri and Mr. Rajesh Chhetri, Advocates with petitioners through V.C.

versus

**STATE GOVT OF NCT OF DELHI THROUGH
SHO**

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State with SI Priyanka, P.S. Shahdara.
Mr. Nitin Chaudhary, Mr. Arun Kumar, Mr. Ajay Kumar and Mr. Lokesh Kumar, Advocates for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

28.03.2024

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1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 363/2018 registered under Sections 498A/406/34 IPC and Sections 3/4 of Dowry Prohibition Act at P.S. 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) whereas petitioner Nos. 2 to 5 are the in-laws of the complainant.
3. Mr. Jha, 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.



4. Learned counsel for the petitioners submits that the parties have settled their disputes on 18.12.2021 before Delhi Mediation Centre, Karkardooma Courts, Delhi. In terms of the settlement, petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 21.11.2022 passed by the Family Court, Shahdara, Karkardooma Court, Delhi in HMA No.1788/22. It was agreed that a sum of Rs.20,00,000/-, as full and final settlement, shall be paid by petitioner No. 1 to respondent No. 2. Out of the settlement amount, the balance amount of Rs.6,00,000/- is being paid today a demand draft, photocopy whereof has been handed over and taken on record. It is further submitted that in terms of the last order, petitioner No.1 has appeared in the maintenance proceedings filed under Section 125 Cr.P.C. pending before the Family Court.

Learned counsel for the petitioners further submits that Clause 6 of the settlement stipulates that rights of the minor child shall remain unaffected by the terms of the settlement.

5. Petitioners, who have joined the proceedings through V.C., have been identified by their counsel as well as by I.O./ SI Priyanka, P.S. Shahdara. Respondent No.2, who is present in Court, has been identified by the I.O.

6. Respondent No. 2 states that she has settled her disputes with the petitioners of her own free will, volition and without any coercion. She also submits that she has no objection in case the FIR is quashed against the petitioners, subject to encashment of demand draft of Rs.6 lacs given to her today in Court.

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 lacs.

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

MANOJ KUMAR OHRI, J

MARCH 28, 2024

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