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

+ **CRL.M.C. 3560/2024 & CRL.M.A. 13674/2024**

MUKESH NEGI & ORS.

..... Petitioners

Through: Mr. Himanshu, Ms. Srishti Agrawal
and Mr. Sambhav Sharma, Advocates
with petitioners in person.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Bhanu Pratap PS
Shalimar Bagh, Delhi and ASI
Ramdass PS Ghazipur, Delhi.
Mr. Asmit Sharma, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.05.2024

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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. 25/2022 registered under Sections 498-A/406/34 IPC at P.S. Ghazipur, 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 No. 2 is the brother-in-law and petitioner Nos. 3 and 4 parents-in-law (since deceased) 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 submits that petitioner Nos. 3 and 4 have since



expired.

4. Learned counsel for the petitioners submits that the parties have settled their disputes vide compromise deed dated 23.05.2023, a copy of which has been placed on record. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 21.12.2023 passed by the Family Court, East District, Karkardooma Court, Delhi in HMA No. 2360/2023. It was agreed that a sum of Rs.6,50,000/- 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 total settled amount of Rs. 14,50,000/-, remaining balance amount of Rs.1,50,000/- is being paid today through a demand draft bearing number 019085 drawn on HDFC, Kondli, New Delhi-110096.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their counsel as well as by I.O./ Inspector Bhanu Pratap PS Shalimar Bagh, Delhi and ASI Ramdass PS Ghazipur, Delhi.

6. Respondent No. 2 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.1,50,000/- handed over to her today.

7. Learned counsel for the petitioners, on instructions from the petitioner No.1, submits that the said settlement agreement states that the rights of the minor child born out of the wedlock, shall remain unaffected . The petitioner No.1, who is present in the Court reiterates the same. The said statement is accepted and is taken on record. The petitioner No.1 shall remain bound by the said statement.



8. Learned counsel for the petitioners 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 encashment of aforesaid demand draft of Rs.3 lac.
11. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

MAY 6, 2024/rd