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

+ **CRL.M.C. 3574/2024 & CRL.M.A. 13723/2024**

ARVIND KUMAR KASHYAP & ORS. Petitioners

Through: **Mr. Naveen Kohar, Advocate with
petitioners in person.**

versus

STATE GNCTD ANR & ORS. Respondents

Through: **Mr. Sanjeev Sabharwal, APP for State
with SI Antriksh Rathi PS
Mandawali, Delhi.
Mr. Pradeep Kumar 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. 429/2016 registered under Sections 498-A/406/34/509 IPC at P.S. Mandawali Fazal Pur, 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 Nos. 1 to 4 who are relatives of the husband of the complainant/respondent No.2.
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 the husband of the respondent No.2 namely Arun Kumar has not entered into any settlement with respondent No.2 and the present petition has been filed only on behalf of



relatives of husband of respondent No.2.

4. Learned counsel for the petitioners submits that the parties have settled their disputes vide MoU dated 27.07.2021, 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 28.04.2022 passed by the Family Court, East District, Karkardooma Court, Delhi in HMA No. 335/2022. It was agreed that a sum of Rs.7,00,000/- 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.7,00,000/-, remaining balance amount of Rs.2,50,000/- is being paid today through a demand draft bearing number 019092 drawn on HDFC Bank, 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./ SI Antriksh Rathi PS Mandawali, 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 the petitioners 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.2,50,000/- 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 qua the present petitioners only, subject to encashment of aforesaid demand draft of Rs.2.5 lac. The trial against the husband of respondent No.2 i.e. Arun Kumar Kashyap shall continue.

10. With the above directions, the petition is disposed of along with pending application.

MANOJ KUMAR OHRI, J

MAY 6, 2024/*rd*