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

+ **CRL.M.C. 3752/2024**

SH. YATENDRA GAUTAM & ORS. Petitioners

Through: **Mr. Ravinder Kumar, Advocate with
petitioners in person.**

versus

STATE GOVT. OF NCT OF DELHI & ANR Respondents

Through: **Mr. Sanjeev Sabharwal, APP for State
with ASI Akanksha Chhiber PS
Adrash Nagar, Delhi.
Mr. Kuldeep, Advocate for
respondent No.2 with respondent
No.2 in person.**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.05.2024

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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. 0039/2019 registered under Sections 498-A/406/34 IPC at P.S. Adarsh Nagar, 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 brother-in-law and father-in-law 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 submits that the charge-sheet has been filed.
4. Learned counsel for the petitioners submits that the parties have



settled their disputes before the Counselling Cell on 08.11.2023, a copy whereof has been placed on record. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 14.03.2024 passed by the Family Court, North District, Rohini Courts, Delhi in HMA No. 387/2024. It was agreed that a sum of Rs.10,00,000/- 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.10,00,000/-, remaining balance amount of Rs.3,00,000/- is being paid today through a demand draft bearing number 641410 drawn on SBI, Sikandra Rao (Aligarh).

5. Learned counsel for the petitioners, on instructions from the petitioner No.1, submits that petitioner No.1 is ready and willing to state that rights of the minor child, who is in the custody of respondent No.2, as available under the law shall remain unaffected by the terms of the settlement. The petitioner No.1, who is present in the Court reiterates the same. In acknowledgement of the said statement, petitioner No.1 and his counsel have signed the order sheet.

6. Petitioners and respondent No.2, who are present in Court, have been identified by their counsel as well as by I.O./ ASI Akanksha Chhiber PS Adrash Nagar, Delhi.

7. 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.3,00,000/- handed over to her today.

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.

MANOJ KUMAR OHRI, J

MAY 9, 2024/rd