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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3892/2024, CRL.M.A. 14878/2024**

KULDEEP ASHOK & ORS.

..... Petitioners

Through: Mr. Manmohan Swaroop and Ms.
Sanyogita Swaroop, Advocates with
petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Akash Kumar, P.S. Bhajan
Pura.
Mr. Kapil, Advocate for respondent
No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

15.05.2024

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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. 234/2019 registered under Sections 498-A/406/34/IPC and Sections 3/4 of the Dowry Prohibition Act at P.S. Bhajan Pura 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 in-laws of the complainant.
3. Mr. 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.



4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Court, North East District, Karkardooma Court, Delhi on 12.12.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 02.02.2024 passed by the Family Court-1, North East District, Karkardooma Court, Delhi in HMA No. 112/2024. It was agreed that a sum of Rs.55,25,000/-, 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, a sum of Rs.51,00,000/- has already been paid and remaining balance amount of Rs.4,25,000/- is being paid today through a demand draft bearing No. 001268 dated 03.05.2024 drawn on HDFC Bank.

5. Petitioners, who are present in Court, have been identified by their counsel as well as IO/SI Akash Kumar, P.S. Bhajan Pura. Petitioner No.1 states that though vide Clause No. (6) of the settlement agreement dated 12.12.2023, it is agreed that their minor child shall not claim any rights in future, however, in terms of the decision of the Supreme Court in Ganesh v. Sudhir kumar Shrivastava and Others reported in **2019 SCC OnLine SC 1107**, he undertakes that rights of their minor child shall remain unaffected by the terms of the settlement. In acknowledgement of his statement made today in Court, petitioner No.1 as well as his counsel has signed the present order sheet.

6. Respondent No.2, who is present in Court, has also been identified by her respective counsel as well as by I.O. She 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 demand draft of Rs.4.25 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.4.25 lacs.

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

Dasti.

MANOJ KUMAR OHRI, J

MAY 15, 2024

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