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

+ **CRL.M.C. 3487/2022**

VIJAY KUMAR

.....Petitioner

Through: Mr. Siddhant Nath (D/2459/2018) and
Mr. Bhavishya Makhija
(D/8832/2023), Advocates with
Petitioner in person.

versus

STATE (N.C.T.) OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Ms. Devanshi Pokhriyal
(D/3923/2023), Advocate for R-2
along with Respondent No.2 in
person.
SI Kiran Deep Kaur, PS KM Pur

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

10.09.2024

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1. The present petition under Section 482 Cr.P.C has been filed by the Petitioner for quashing FIR No.520/2015 dated 04.05.2015, registered at Police Station K.M. Pur for offences punishable under Sections 498A/406/34 IPC on the ground that the Parties have entered into a settlement. Chargesheet has been filed under Sections 498A/406/377/34 IPC. The present FIR is the outcome of a matrimonial dispute between the Parties. The Respondent No.2 is the Complainant and the Petitioner is the husband of the Complainant.

2. The principal ground on which the present petition has been filed is



that the parties have settled their dispute before the Mediation Centre, Saket Courts, New Delhi *vide* a Settlement Agreement dated 08.12.2017. It is stated the parties had filed a petition for divorce by mutual consent before the Ld. Judge, Family Court, South East, Saket Courts, Delhi and by a Judgment and Decree dated 02.11.2018, the marriage between the Complainant/Respondent No.2 and the Petitioner/husband stands dissolved. It is further stated that as per the settlement, the Petitioner/husband has agreed to pay a sum of Rs.5,00,000/- to the Complainant/Respondent No.2 towards the full and final settlement of all her claims in the following manner:

- a. A sum of Rs.2,00,000/- was to be paid at the time of withdrawal of the complaint under Section 12 of the DV Act.
- b. A sum of Rs.1,00,000/- was to be paid at the time of recording of statement of the First Motion.
- c. A sum of Rs.2,00,000/- was to be paid at the time of recording of statement of the Second Motion.

3. Today, the Parties are present in Court. The Petitioner has been identified by his Counsel and the Investigating Officer. The Respondent No.2/Complainant has been identified by her Counsel and the Investigating Officer. The Complainant/Respondent No.2 states that she has received the entire amount as per the settlement and has settled all her matrimonial disputes with the Petitioner out of her own free will, without pressure, coercion or undue influence and states that she does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement and proceedings recorded



before this Court.

4. Considering the fact that the dispute is a matrimonial dispute and the parties have amicably settled their disputes and the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is satisfied that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.520/2015 dated 04.05.2015, registered at Police Station K.M. Pur for offences punishable under Sections 498A/406/34 IPC and the proceedings emanating therefrom are hereby quashed

5. The petition stands disposed of in above terms, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 10, 2024

S. Zakir