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

+ CRL.M.C. 3946/2024 & CRL.M.A. 15062/2024

LALIT KUMAR AND OTHERS

..... Petitioners

Through: Mr. Ramnath Singh Kushwaha,
Advocate with petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANR Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Anand Swaroop PS Adarsh
Nagar, Delhi.
Respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.05.2024

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 54/2022 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 to 7 who are the in-laws of the complainant.
3. Mr. Nawal Kishore Jha, 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, Rohini on 24.04.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 21.03.2024 passed by



the Family Court, North District, Rohini Court, Delhi in HMA No. 338/2024. It was agreed that a sum of Rs.5,10,000/- 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.5,10,000/-, remaining balance amount of Rs. 1,25,000/- is being paid through cash and Rs.1,50,000/- is being paid today through a demand draft dated 26.04.2024 bearing number 495808 drawn on Ujjivan Small Finance Bank, a photocopy of which has been placed on record.

5. Learned counsel for the petitioners informs that there is a child out of the wedlock and 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, who are present in Court, have been identified by their counsel as well as by I.O./ SI Anand Swaroop PS Adarsh Nagar, Delhi.

7. Respondent No. 2, who is also present in Court and is identified by the I.O., 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.

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.1.5 lac.

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

MANOJ KUMAR OHRI, J

MAY 16, 2024/rd