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

+ **CRL.M.C. 5243/2023**

NISCHAL BAGGA @ NISCHAL KUMAR & ORS. Petitioners

Through: Mr. Subhash Chaudhary,
Mr. Ravindra Singh, Ms. Monika Rai,
Mr. Ajay Kumar, Mr. Jitendra B. and
Mr. Gaurav Kumar, Advocates with
petitioners in person

versus

STATE OF NCT DELHI & ANR. Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Gagandeep, P.S.
Prashant Vihar.
Respondent No.2 through VC.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

07.03.2024

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CRL.M.A. 19923/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 5243/2023

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No.310/2007 registered under Sections 498A/406/34 IPC at P.S. Prashant Vihar, Rohini, 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) whereas petitioner Nos.2 to 4 are the in-laws of the complainant.
3. Learned APP for the State submits that the petitioners are the only accused persons and respondent No. 2 is the complainant/victim.
4. Learned counsels for the parties submit that the parties have settled their dispute vide settlement deed dated 04.10.2007. It is further stated that petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 06.08.2016 passed by the Family Court, North District, Rohini, Delhi in HMA No.558878/16. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioners.
5. Learned counsel for the petitioners submits that the affidavit in terms of the Supreme Court decision in Ganesh v. Sudhirkumar Shrivastava and Ors. reported as **2019 SCC OnLine SC 1107** thereby stating that the rights of the minor child shall remain unaffected by the terms of the settlement, is in the process of being filed and the same would be done during the course of the day.
6. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Respondent No.2, who has joined the proceedings through VC, has been identified by the Investigating Officer.
7. Respondent No.2 states that she has entered into the aforesaid settlement deed with her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.



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 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.
11. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

MARCH 7, 2024/MR