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

+ **CRL.M.C. 3589/2022**

PRADEEP KUMAR & ORS.

.....Petitioners

Through: Mr. Vijay Kinger (D/742/05),
Advocate with Petitioners-in-person

versus

STATE -GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Deepak Tomar, D/0564/2019,
Advocate for R-2 with Respondent
No.2 in person

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

29.08.2024

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1. The Petitioners have approached this Court for quashing of FIR No.73/2017 dated 15.03.2017 registered at Police Station Harsh Vihar for offences under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act. The present FIR is the outcome of a matrimonial dispute between the parties.
2. It is stated that during the pendency of the trial, the husband of Complainant/Respondent No.2 has passed away, i.e., on 01.03.2019.
3. The principal ground on which the present petition has been filed is that the parties have entered into a settlement *vide* a settlement deed dated 04.03.2020 before the Mediation Centre, Karkardooma Courts, Delhi.
4. The Petitioners and Respondent No.2 are present in Court today. Unfortunately, the I.O. is not present in Court to identify the parties. The parties have been identified by their respective Counsels and this Court has



no reason to disbelieve the Counsel appearing for the Petitioners and Respondent No.2.

5. Respondent No.2/Complainant states that she has received all the items in accordance with the memorandum of settlement entered into between the parties and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence and states that she does not want to pursue with 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.

6. Considering the fact that it is a matrimonial dispute and the parties have amicably settled their disputes, 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.

7. In view of the settlement arrived at between the parties, this Court is satisfied that no useful purpose would be served in continuing with the present proceedings. Resultantly, FIR No.73/2017 dated 15.03.2017 registered at Police Station Harsh Vihar for offences under Sections 498A/406/34 IPC read with Section 4 of the Dowry Prohibition Act and the proceedings emanating therefrom are hereby quashed.

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

SUBRAMONIUM PRASAD, J

AUGUST 29, 2024

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