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

+ **CRL.M.C. 4286/2024 & CRL. MA 16262/2024**

RAHUL GUPTA AND OTHER Petitioners

Through: Mr. Tarun Kumar Arora, Mr. Rahul Tandon and Mr. Pankaj Chauhan,
Advocates with petitioners in person.

versus

THE STATE AND ANOTHER Respondents

Through: Mr. Sanjeev Sabharwal, APP for
State with SI Mukesh Kumar PS
Wazirabad, Delhi.
Mr. Naveen Kumar Sharma and Mr.
Puneet Bhatia, Advocates for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.05.2024

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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. 852/2022 registered under Sections 498-A/406/34 IPC at P.S. Wazirabad, 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 4 are mother-in-law, brother-in-law and sisters-in-law of the complainant.
3. Mr. Sanjeev 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. He further states that the charge-sheet has been



filed. It is stated that there is a child out of the wedlock who is in the custody of the petitioner No.1.

4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Family Court on 06.12.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 24.04.2024 passed by the Family Court, Central, District, Delhi in HMA No. 630/2024. It was agreed that a sum of Rs.5,50,000/- 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.5,50,000/-, remaining balance amount of Rs.2,50,000/- is being paid today through a demand draft bearing number 504025 drawn on ICICI Bank. Learned counsel for the petitioners further submits that in spirit of the settlement agreement, a sum of Rs.20,000/- will additionally be paid to the respondent No.2 by way of demand draft through IO. Let the same amount be paid within one week.

5. Petitioners, who are present in Court, have been identified by their respective counsels as well as by I.O./ASI Arvind Kumar, P.S. Burari.

6. Respondent No. 2, who is also present in Court and identified by the I.O., states that she has settled her disputes with petitioner No.1 out 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.2,50,000/- handed over to her today.

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.2.50 lac.

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

MANOJ KUMAR OHRI, J

MAY 24, 2024/rd