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

+ CRL.M.C. 5812/2023

AMIT DUTTA & ORS

..... Petitioners

Through: Mr. Mayank Sharma, Advocate with
petitioners in person.

versus

THE STATE - NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Dinesh Chandra PS
Khajuri Khas, Delhi.
Mr. Ashish Bhardwaj, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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01.04.2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 342/2016 registered under Sections 498A/406/34 IPC at P.S. Khajuri Khas, 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 and 3 are the in-laws 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 there is a minor girl child born out of the wedlock.
4. Learned counsel for the petitioners submits that the parties have



settled their disputes vide Settlement Deed dated 20.09.2022. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 17.05.2023 passed by the Family Court, North East, Karkardooma Court, Delhi in HMA No. 519/2023. It was agreed that a sum of Rs.4,50,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2. It is further submitted that out of the settlement amount, the balance amount of Rs.1,50,000/- is being paid today through a demand draft bearing number 464070 drawn on Ujjivan Small Finance Bank, a photocopy of which has been placed on record. Petitioner No.1, who is present in Court, states that rights of the minor child, who is in custody of respondent No.2, shall remain unaffected by the terms of the settlement. In acknowledgement of the statement, petitioner No.1 and his counsel have signed the order sheet.

5. Petitioners and the respondent No.2, who are present in Court, have been identified by their respective counsels as well as by I.O./Inspector Dinesh Chandra P.S. Khajuri Khas, Delhi.

6. Respondent No. 2 states that she has settled her disputes with the petitioners of her own free will, volition and without any coercion. She also 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.

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.1.5 lac.

10. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

APRIL 1, 2024/rd