



\$~42

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

+ CRL.M.C. 4797/2024

GULSHAN AND ORS

..... Petitioners

Through: Mr.Ankit Rathi and Mr.Sahil Rana,
Advocates with petitioner Nos.1 and 2 in person
and petitioner Nos.3 and 4 through V.C.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Mohit
Mr.Deepak Natu, Advocate for respondent No.2
with respondent No.2 through V.C.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

31.05.2024

%

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.402/2019 registered under Sections 498A/406/34 IPC at P.S. Mangolpuri, 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 counsel for the petitioners submits that the divorce petition is pending before the concerned court at Kalyan, Maharashtra and in the said proceedings the petitioners have deposited a demand draft of Rs.10,00,000/-. He submits that the parties are taking steps to file a fresh petition seeking divorce on mutual consent. He submits that as per the settlement dated 20.04.2024 between the parties, the petitioners have no objection to the release of the said amount to respondent No.2 at the time of grant of second motion. He further submits that the petitioners would take immediate steps to seek divorce on the ground of mutual consent.

5. Learned counsel for respondent No.2, on instructions, submits that he has no objection to the aforesaid submissions and also assures cooperation and presence of respondent No.2 in seeking divorce by mutual consent.

6. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

7. Petitioner Nos.1 and 2, who are present in the Court, petitioner Nos.3 and 4 and respondent No.2, who have joined the proceedings through V.C., have been identified by their respective counsels and the Investigating Officer.

8. Respondent No.2 states that she has entered into the aforesaid settlement 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 subject to release of the aforesaid amount at the time of grant of second motion.

9. Learned counsels for the parties submit that no other proceedings are pending between the parties.



10. The parties shall remain bound by the statements made in Court today.

11. 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 release of the aforesaid amount at the time of grant of second motion.

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

MANOJ KUMAR OHRI, J

MAY 31, 2024

na