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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6603/2023

SARFARAZ AND ORS

..... Petitioners

Through: Mr. Sarthak Dora, Advocate with
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Naval Kishore Jha, APP for State
with ASI Hemant PS Jafrabad, Delhi.
Ms. Shalini and Ms. Shailey Shukla,
Advocates for respondent No.2 along
with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.01.2024

1. The petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 642/2019 registered under Sections 498-A/406/34 IPC and Section 4 of the Dowry Prohibition Act at P.S. Jafrabad, 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 whereas petitioner Nos. 2 to 9 are relatives of petitioner No.1.
3. Mr. Naval Kishore Jha, learned APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that the parties have



settled their disputes before the Counselling Cell, Family Court, Karkkardooma Courts on 09.11.2022. In terms of the settlement, the parties have already been granted divorce by mutual consent. It was agreed that a sum of Rs.4,75,000/- 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.4,75,000/-, remaining balance amount of Rs.2,50,000/- is being paid today through two cheques for sum of Rs.1.25 lacs each bearing numbers 230081 and 367895 drawn on Bank of Maharashtra, Yamuna Vihar, Gokalpuri, Delhi and Axis Bank, Yamuna Vihar, New Delhi.

5. Petitioners, who are present in Court, have been identified by their counsel as well as by I.O./ASI Hemant PS Jafrabad, Delhi.

6. Respondent No. 2, who is also present in Court and is identified by the I.O., states that she has settled her disputes with petitioner No.1 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 aforesaid two cheques of Rs.2,50,000/- handed over to her today. . Affidavit of Respondent no.2 has been placed on record.

7. The petitioners assure the Court that the said cheques will be encashed on presentation. The statement is taken on record and the parties are made bound by the same.

8. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

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 cheques.

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

MANOJ KUMAR OHRI, J

JANUARY 16, 2024/rd