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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6857/2023 & CRL.M.A.25634/2023

VISHAL SHARMA & ORS.

..... Petitioners

Through: Mr. Amit Kumar, Mr. Sheel Pathak
and Mr. Rishi Ojha, Advs. with
petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
SI Abhishek, P.S. Khajuri Khas
Mr. S.U. Mirza, Adv. for R-2 with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.02.2024

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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. 631/2017 registered under Sections 498-A/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) . The petitioner No.s 2-6 are the in-laws of the complainant.
3. Mr. 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.
4. Learned counsel for the petitioners submits that the parties have settled their disputes as per the Memorandum of Understanding dated



08.05.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 15.07.2023 passed by the Family Court, North East, Karkardooma Court, Delhi in HMA No. 693/2023. It was agreed that a sum of Rs.27,50,000/- 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.27,50,000/-, remaining balance amount of Rs.10,00,000/- is being paid today through two demand drafts (Rupees five lakh each), photocopies of which have been placed on record. Learned Counsel for the petitioner further informs that there is a female child out of the wedlock and states that the rights of the minor child shall remain unaffected by the terms of the said settlement. An affidavit in this regard has been placed on record.

5. Petitioners, who are present in Court, have been identified by their counsel as well as by I.O./SI Abhishek, P.S. Khajuri Khas.

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 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.10,00,000/- 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 drafts of Rs.10 lac.

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

MANOJ KUMAR OHRI, J

FEBRUARY 9, 2024

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