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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 5150/2024 & CRL. MA. 19625/2024

NEERAJ KUMAR AND ORS.

.....Petitioners

Through: Mr. Vipin Kumar, Advocate with
petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Sumeet Poonia PS Vivek
Vihar, Delhi.

Mr. Vashu Gupta, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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08.07.2024

1. The present petition has been filed under on behalf of the petitioners seeking quashing of FIR No. 40/2020 registered under Sections 498-A/406/34 IPC at P.S. Vivek Vihar, 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 5 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 submits that charge-sheet has been filed.
4. Learned counsel for the petitioners submits that the parties have settled their disputes and an affidavit to this effect has been filed on behalf of the respondent No.2. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated



10.04.2023 passed by the Family Court, Rohini Court, Delhi in HMA No. 451/2023. It was agreed that a sum of Rs.2,90,000/- 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.2,90,000/-, remaining balance amount of Rs.72,500/- is being paid today through a demand draft bearing number 32710 drawn on Bank of Baroda, Basant Gaon, New Delhi-110057.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their counsel as well as by I.O.

6. Respondent No. 2 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.72,500/- 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.72,500/-

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

MANOJ KUMAR OHRI, J

JULY 8, 2024/rd