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

+ **W.P.(CRL) 2044/2024 & CRL.M.A. 19848/2024**

APURV BHATIA & ANR

.....Petitioners

Through: Mr. Sumit Saini, Advocate with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Anand V. Khatri, ASC (CrI.) for
the State with SI Kirandeep Kaur PS
K.M. Pur, New Delhi.

Mr. Rohit Sharma and Ms. Resham
Sharma, Advocates for respondent
No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

10.07.2024

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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. 0440/2021 registered under Sections 498-A IPC at Kotla Mubarakpur, New 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 is the mother-in-law of the complainant.
3. Mr. Anand V. Khatri, learned ASC (CrI.) for the State submits that in the present case petitioners are the only accused and respondent No. 2 is the complainant/victim. He submits that the charge-sheet has been filed.
4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Mediation Centre, Saket Court, New Delhi



on 06.03.2024. It is further submitted that the first motion for divorce for mutual consent has already taken place and that the parties undertake to take the requisite steps for filing of the second motion immediately. It was agreed that a sum of Rs.16,00,000/- 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.16,00,000/-, a portion of the balance amount of Rs.5,00,000/- is being paid today through a demand draft bearing number 413854 drawn on Canara Bank, Sector-7, Rohini, New Delhi-110085. It is further stated that the remaining balance amount of Rs.5 lacs shall be paid to respondent No.2 at the time of the second motion. The petitioner No.1 further undertakes that the requisite steps for filing of the second motion will be taken within appropriate time. Learned counsel for the respondent No.2 on instructions from respondent No.2 also assures the Court that the respondent No.2 will cooperate in the process of filing the petition for second motion.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their counsel as well as by I.O./ SI Kirandeep Kaur PS K.M. Pur, New Delhi.

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 part payment of 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.5,00,000/- handed over to her today. She also states that she has no objection to the quashing of the FIR and assures the Court that she will cooperate in the process of filing the petition for second motion.



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.5 lac handed over to her today in the Court.
10. With the above directions, the petition is disposed of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J

JULY 10, 2024/rd