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

+ **W.P.(CRL) 2248/2024**

ASIF & ORS.

.....Petitioners

Through: Mr. Amjad Khan, Mr. Sumit Kumar,
Ms. Laxmi Upadhaya and Md. Nasir,
Advocates.

versus

THE STATE (GOVT. OF NCT, DELHI) & ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel.
Mr. Trilok Chand, Ms. Babita Singh,
Mr. Vinay Kumar, Mr. Jai Prakash,
Advocates for R-2 with Respondent
No.2 in-person.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **29.07.2024**

CRL.M.A. 21966/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2248/2024

1. The present petition has been filed for quashing FIR No.132/2021 dated 06.04.2021, registered at Police Station Fatehpur Beri for offences under Section 498A, 406, 34 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of a matrimonial dispute between the parties.

2. The principal ground on which the present petition has been filed is that the parties have amicably resolved their disputes by a settlement agreement dated 27.10.2023. As per the settlement agreement, the Petitioner



No.1 has agreed to pay a sum of Rs.7,50,000/- to Respondent No.2/Complainant towards full and final settlement of all her claims in the following manner:-

- a. A sum of Rs.2,00,000/- was received by the Respondent No.2 at the time of withdrawal of the maintenance petition.
- b. A sum of Rs.2,00,000/- was received by the Respondent No.2 at the time of withdrawal of Petition under Section 12 of the DV Act.
- c. A sum of Rs.2,50,000/- was received by the Respondent No.2 at the time of divorce.
- d. Remaining Rs.1,00,000/- was to be paid during the quashing of the FIR.

3. The Petitioners No.1, 2 & 3 and Respondent No.2/Complainant are present in Court. Petitioner No. 4 has joined the proceedings through Video Conferencing. The parties have been identified by their respective Counsels and the Investigating Officer. Respondent No.2/Complainant has also filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. She has been paid the remaining sum of Rs.1,00,000/- in Court today by way of a Demand Draft. She states that she has received the entire amount and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence.

4. Considering the fact that the dispute is a matrimonial dispute and the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR



No.132/2021 dated 06.04.2021, registered at Police Station Fatehpur Beri for offences under Section 498A, 406, 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

5. The petition stands disposed of with the above observations along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 29, 2024

Rahul