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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8169/2023**

VINOD KUMAR SHARMA AND ORS Petitioners
Through: Mr. Vijay Kasana, Advocate with
petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents
Through: Mr. Sanjeev Sabharwal, APP for State
with SI Ekta Yadav, P.S. Bindapur.
Mr. Anuj Kumar Advocate for
respondent No.2 with Husband of
respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
24.01.2024

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1. The present petition has been filed under Section 482 Cr.P.C. and Article 227 of the Constitution of India on behalf of the petitioners seeking quashing of FIR No. 1201/2020 registered under Sections 498-A/406/34 IPC at P.S. Bindapur, 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 4 are 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 only complainant/victim. He further submits that there is a minor child out



of the wedlock of the parties and therefore an affidavit in terms of the decision of the Supreme Court in Ganesh v. Sudhirkumar Shrivastava and Others **2019 SCC OnLine SC 1107** requires to be filed.

4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Courts, Dwarka, New Delhi on 12.04.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 10.08.2023 passed by the Family Court, Dwarka, New Delhi in HMA No. 2618/2023. It was agreed that a sum of Rs.13,75,000/- 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 total settled amount, a sum of Rs.10,00,000/- has already been paid and remaining balance amount of Rs.3,75,000/- is being paid today through a demand draft, a photocopy of which has been placed on record.

5. The petitioner No.1 who is present in Court, submits that the settlement entered between the parties shall not affect the rights of their minor child namely *Harshi* as available under law, who is statedly in the custody of respondent No.2. The statement given on behalf of petitioner No. 1 is accepted and taken on record. Petitioner No.1 shall put his signatures on the order sheet in acknowledgement of his above-noted statement.

6. Petitioners, who are present in Court, have been identified by their counsel as well as by I.O./SI *Ekta Yadav, P.S. Bindapur*.

7. 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.3,75,000/- handed over to her today. Affidavit of Respondent No.2 has been placed on record.

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

9. The parties shall remain bound by the statements and undertaking made in Court today.

10. 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.3,75,000.

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

MANOJ KUMAR OHRI, J

JANUARY 24, 2024

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