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

+ CRL.M.C. 8176/2023

VIKAS KUMAR SINGH & ANR. Petitioner

Through: Ms. Paromita Majumdar, Mr. Sanad Dobwal, Mr. Anikesh Bramha and Mr. Rajat Das Gupta, Advocates with petitioner No.1 in person and petitioner No.2 through V.C.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with ASI Rajesh Kumar PS Ambedkar Nagar, New Delhi. Respondent No.2 through V.C.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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29.02.2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.671/2022 registered under Sections 498A/34 IPC at P.S. Ambedkar Nagar, 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) whereas petitioner No.2 is the mother-in-law of the complainant.
3. Mr. Sanjeev Sabharwal, learned APP for the State submits that in the present case petitioners are the only accused and respondent No. 2 is the complainant/victim.
4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Counselling Cell, Family Court, Saket, New



Delhi on 25.01.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 21.07.2023 passed by the Family Court, South, Saket Court, New Delhi in HMA No. 1347/2023. She further states that the requisite affidavit in terms of the decision in Ganesh v. Sudhirkumar Shrivastava and Others reported as **2019 SCC OnLine SC 1107** has been placed on record. However, a perusal of the said affidavit would show that the same is restricted to the aspect of maintenance only. Learned counsel for the petitioner, on instructions from the petitioner, who is present in the Court, states that the petitioner undertakes that the settlement arrived at between the parties will not affect rights of the minor child not only towards maintenance but also towards all other rights available to the child under law. The statement is accepted and is taken on record. In acknowledgment of the same, petitioner No.1 and his counsel have signed the order sheet.

5. Petitioner No.1, who is present in Court, and petitioner No.2, who has joined the proceedings through V.C., has been identified by his counsel as well as by I.O./ ASI Rajesh Kumar PS Ambedkar Nagar, New Delhi. Respondent No.2, who has joined the proceedings through VC, has also been identified by the I.O.

6. Respondent No. 2 states that she has settled her disputes with petitioners of her own free will, volition and without any coercion and that she has no objection to quashing of the present FIR.

7. Learned counsel for the petitioner 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.

10. With the above directions, the petition is disposed.

MANOJ KUMAR OHRI, J

FEBRUARY 29, 2024/rd