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

+ CRL.M.C. 5962/2024 & CRL. M.A.22790/2024

MOHIT KUMAR @ MOHIT GABA & ORS.Petitioners

Through: Mr. Sanjay Kumar and Mr. Ujjwal
Arora, Advocates with petitioners
through VC.

versus

STATE NCT OF DELHI & ANRRespondents

Through: Mr. Nawal Kishore Jha, APP for State
with Mr. Kapil Prajapati, Ms. Mansi
Gupta, Mr. Neeraj Baisoya, Ms. Ira
Rana and Mr. Dishant Tiwari,
Advocates with SI Sukpal Singh PS
Sultanpuri, Delhi.

Mr. Neeraj Kadyan, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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02.08.2024

1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 744/2016 registered under Sections 498-A/406/34 IPC at P.S. Sultanpuri, 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 and 3 are parents-in-law of the complainant.
3. Mr. Nawal Kishore Jha, 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 further states that the charge-sheet has been



filed.

4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Memorandum of Understanding (MOU) dated 19.01.2021. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 03.04.2024 passed by the Family Court, Central, Rohini Courts, Delhi in HMA No. 928/2024. It was agreed that a sum of Rs.4,00,000/- 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.4,00,000/-, remaining balance amount of Rs.1,00,000/- is being paid today through a demand draft bearing number 012940 drawn on HDFC Bank.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their counsels as well as by I.O./ SI Sukpal Singh PS Sultanpuri, Delhi.

6. Respondent No. 2 states that she has settled her disputes with petitioner No.1 out 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.1 lac 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.1 lac.

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

MANOJ KUMAR OHRI, J

AUGUST 2, 2024/*rd*