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

+ **W.P.(CRL) 2347/2024 & CRL. MA. 22933/2024**

RAVI KAPOOR

.....Petitioner

Through: Mr. Lalit Kumar and Mr. Atul Dewan
and Mr. Kinshuk Arora, Advocates
with petitioner in person.

versus

**THE STATE (GOVT. OF
NCT OF DELHI) & ANR**

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with SI Neeraj and
SI Suman PS Dwarka South, New
Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

05.08.2024

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1. The present petition has been filed under Article 226 of the Constitution of India on behalf of the petitioner, seeking quashing of FIR No. 163/2021 registered under Sections 498-A/406/34 IPC at P.S. Dwarka South, 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 the petitioner/husband.
3. Mr. Sanjay Lao, learned Standing Counsel (Crl.) appearing for the State submits that in the present case, petitioner is the only accused and respondent No. 2 is the complainant. He further confirms that the charge-sheet has been filed.



4. Learned counsel for the petitioner submits that the parties have settled their disputes vide Settlement Deed dated 14.01.2024, a copy whereof has been placed on record. In terms of the settlement, it is further submitted that the first motion of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, has already been carried out on 17.02.2024 and that the second motion is pending consideration before the concerned Court, which is coming up for hearing on 29.08.2024. Furthermore, it has been agreed vide the aforementioned settlement that a sum of Rs.6,00,000/- shall be paid by petitioner No. 1 to respondent No. 2 as full and final settlement towards her claims qua maintenance, stridhan, alimony, etc. It is further submitted that out of the settled amount of Rs.6,00,000/-, remaining balance amount of Rs.3,00,000/- is to be paid at the time of grant of second motion of divorce. The petitioner undertakes that he will make the payment of balance amount of Rs.3,00,000/- to respondent No.2 at the time of grant of divorce. The parties, who are present in Court, assure their appearance and undertake to cooperate with each other in the said proceedings. The undertaking is accepted and is taken on record. The parties shall remain bound by the undertaking.

5. Petitioner, who is present in Court, has been identified by his counsel as well as by the I.O./ SI Neeraj and SI Suman PS Dwarka South, New Delhi.

6. 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 out of her own free will, volition and without any coercion. She also acknowledges the receipt of Rs.3,00,000/- and confirms that she has agreed to receive the balance amount of Rs.3,00,000/- at the time of grant of divorce. She further



submits that she has no objection in case the FIR is quashed against the petitioner, subject to payment of Rs.3,00,000/- at the time of grant of divorce.

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 of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J

AUGUST 5, 2024/*rd*