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

+ **W.P.(CRL) 2380/2024**

NIKIL SAINI AND ORS.

.....Petitioners

Through: Mr.Vivek, Mr.Vivek Samsahwal and
Ms.Kajal Garg, Advocates with petitioners in
person

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr.Sanjay Lao, Standing Counsel with
Mr.Abhinav Kumar, Advocate with SI Sachin
Dhama
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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11.09.2024

1. By way of the present petition, the petitioners seek quashing of the FIR No. 72/2023 registered under Sections 498-A/406/34 IPC at P.S. Shalimar Bagh, 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 Nos.2 to 6 are the in-laws of the complainant.
3. Learned Standing Counsel for the State submits that the petitioners are the only accused persons and respondent No. 2 is the



complainant/victim. He further submits that the FIR is pending investigation.

4. Learned counsel for the petitioners submits that the parties have settled their dispute vide Settlement dated 12.03.2024, before Counselling Cell where they were referred by learned Principal Judge, Family Courts, Rohini Courts, Delhi. It is stated that petitioner No.1 and respondent No.2 have already been granted divorce by mutual consent vide divorce decree dated 09.07.2024 passed by learned Principal Judge, Family Court, Rohini, Delhi, in HMA No.721/2024. It was agreed that a sum of Rs. 16,00,000/- shall be paid by the petitioner No.1 to the respondent No.2 as full and final settlement, towards her claims qua maintenance, stridhan, alimony, etc. It is further submitted that out of the total settled amount, the balance amount of Rs.6,00,000/- is being paid today through a demand draft bearing No.500109 dated 29.07.2024 drawn on ICICI Bank. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioners.

5. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Respondent No.2, who is present in the Court, has also been identified by the Investigating Officer.

6. Respondent No.2 states that she has entered into the aforesaid settlement with her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed subject to encashment of the aforesaid demand draft of Rs. 6,00,000/-.

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 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 the aforesaid demand draft.

10. The petition is disposed of in the above terms alongwith the pending application.

MANOJ KUMAR OHRI, J

SEPTEMBER 11, 2024/na