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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6169/2024**

RAJESH KUMAR & ORS.

.....Petitioners

Through: Mr. Karan Singh Tomar, Advocate
with petitioner No.1 in Court and
petitioner Nos. 2 to 8 present through
V.C.

versus

STATE GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Sangeeta, P.S. S.B. Dairy.
Mr. Surander Kumar, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

27.08.2024

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1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 683/2018 registered under Sections 498-A/406/34 IPC at P.S. Shahbad Dairy, 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 petitioners, wherein petitioner No. 1 is a husband and petitioner Nos. 2 to 8 are in-laws of the complainant.
3. Ld. APP for the State submits that in the present case petitioners are the only accused persons 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, North



District, Rohini Courts, Delhi on 21.08.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 20.10.2023 passed by the Family Court, North District, Rohini Court, Delhi in HMA No. 2090/2023. It was agreed that a sum of Rs.16,25,000/-, 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, a sum of Rs.11,25,000/- has already been paid and remaining balance amount of Rs.5,00,000/- is being paid today through a cheque bearing No. 878717 dated 27.08.2024 drawn on State Bank of India, Tis Hazari Branch, Delhi.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsels as well as by I.O./ SI Sangeeta, P.S. S.B. Dairy.

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 aforesaid cheque given to her today in Court.

7. At this stage, Id. counsel for the petitioners, on instructions of petitioner No.1, submits that the answering petitioner undertakes that in case the aforesaid cheque is not encashed for any reason he will make the aforesaid amount good within one week either by handing over fresh cheque or demand draft. The undertaking given on behalf of petitioner No.1 is accepted and taken on record and he is made bound by the same. Gate pass of petitioner No.1 is taken 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 payment of aforesaid amount of Rs.5 lacs.

11. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

AUGUST 27, 2024

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