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

+ **CRL.M.C. 6308/2024**

JASMEET SINGH@ LUCKY

.....Petitioner

Through: Mr. Naveen Kumar (D/10656/22),
Advocate.

versus

STATE, THROUGH NCT OF DELHI & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Mannu Mohan Bansal
(D/2195/07), Advocate for R-2.
SI Shyam (D-1432), PS Burari

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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14.08.2024

1. The present petition has been filed for quashing FIR No.534/2017 dated 21.09.2017, registered at Police Station Burari for offences under Section 498A/406/34 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of a matrimonial dispute between the parties.
2. Though the present FIR was filed against the Petitioner herein and his father, who has passed away, in the charge-sheet filed by the Police, the mother of the Petitioner herein has also been impleaded as accused. However, summons have yet not been issued to the mother of the Petitioner.
3. The principal ground on which the present petition has been filed is that the parties have amicably resolved their disputes by a settlement agreement dated 07.11.2023. As per the settlement agreement, the Petitioner No.1 has agreed to pay a sum of Rs.8,75,000/- to Respondent



No.2/Complainant towards full and final settlement of all her claims in the following manner:-

- a. A sum of Rs.2,00,000/- was received by the Respondent No.2 at the time of first motion.
- b. A sum of Rs.3,00,000/- was received by the Respondent No.2 at the time of second motion.
- c. Remaining Rs.3,75,000/- was to be paid during the quashing of the FIR.

4. The Petitioner and Respondent No.2/Complainant are present in Court. The parties have been identified by their respective Counsels and the Investigating Officer. Respondent No.2/Complainant has also filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. She has been paid the remaining sum of Rs.3,75,000/- in Court today by way of a Demand Draft. She states that she has received the entire amount and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence.

5. Even though Petitioner's mother has not been made a party of the present proceedings, considering the fact that the dispute is a matrimonial dispute and the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.534/2017 dated 21.09.2017, registered at Police Station Burari for offences under Section 498A/406/34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by



the terms of the settlement and the undertaking given to the Court.

6. The petition stands disposed of with the above observations along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 14, 2024

Rahul