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

+ **W.P.(CRL) 2508/2024, CRL.M.A. 24450/2024**

ASHU & ORS.

.....Petitioners

Through: Ms. Farhat Jahan Rehmani and Mr.
Monis Faridi, Advocates.

versus

STATE OF NCT, DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) Mr. Priyam Aggarwal and Mr.
Abhinav Kumar Arya, Advs.
SI Akash Kumar, PS Bhajanpura.
Mr. Vishnu Unni Krishnan and Mohd.
Zahid, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

10.09.2024

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1. By way of present petition filed under Article 226 of Constitution of India read with Section 528 BNSS, 2023, the petitioners seek quashing of FIR No.185/2021 registered under Sections 498A/406/34 IPC and Sections 3/4 of Dowry Prohibition Act, at P.S. Bhajanpura, 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 4 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 chargesheet has been filed in



the present case. It is also submitted that the child born out of the wedlock is in the custody of respondent No.2/wife.

4. Learned counsel for the petitioners submits that the parties have settled their dispute vide Memorandum of Understanding/ Settlement dated 28.02.2024. In terms of the settlement, the parties have already dissolved their marriage by way of mutual consent vide Divorce (Talaqnama)/Mutual Agreement dated 28.02.2024. It is submitted that respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. Learned counsel for the petitioners, on instructions, submits that petitioner No.1 is ready and willing to state that the rights of the minor child as available under the law, who is in the custody of respondent No.2, shall remain unaffected by the terms of the settlement. The petitioner No.1, who is present in the Court, reiterates the same. In acknowledgement of the said statement, petitioner No.1 and his counsel have signed the order sheets.

6. The petitioners and respondent no. 2, who are present in Court have been identified by their respective counsels as well as by the Investigating Officer/SI Akash Kumar, PS Bhajanpura.

7. Respondent No. 2 states that she has entered into the aforesaid Memorandum of Understanding/Settlement out of 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.

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.

11. Accordingly, the petition, along with miscellaneous application, is disposed of in the above terms.

MANOJ KUMAR OHRI, J

SEPTEMBER 10, 2024

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