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

+ **CRL.M.C. 9101/2023**

KSHITIJ BHATIA & ORS.

..... Petitioners

Through: Mr. Vishesh Wadhwa, Ms. Swadha
Gupta, Advocates with petitioners in person

versus

STATE & ANR.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Ritika Dhiwan and respondent No.2 in
person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.01.2024

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1. By way of present petition filed under Section 482 Cr.P.C., petitioners seek quashing of the summoning order dated 07.12.2022 passed by the learned MM-02, New Delhi District, Patiala House Courts, New Delhi in CC No. 9815/2020 titled as 'Ms. Divya Chhabra vs. Mr. Kshitij Bhatia & Ors.' against the petitioners, as also the complaint under Section 200 of the Code of Criminal Procedure bearing CC No.9815 of 2020 filed by respondent no.2 against the petitioners on the ground that the parties have amicably settled their disputes.

2. The present summoning order is an outcome of a matrimonial dispute between the complainant/respondent No. 2 (wife) and petitioner



No.1/(husband) whereas petitioner Nos. 2 to 3 are the in-laws of the complainant.

3. Learned APP for the State submits that petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.

4. Learned counsels for the parties submit that the parties have entered into a settlement vide Settlement Deed dated 04.09.2023 in the Family Court, Patiala House Courts, New Delhi. It is further stated that the parties have already been granted divorce by mutual consent vide divorce decree dated 10.01.2024 passed by the Family Court, Patiala House Courts, New Delhi in HMA No.43/2024. As per the terms, it was agreed that a sum of Rs.60,00,000/- would be paid as full and final settlement by petitioner No.1 to respondent No. 2. It is stated that an amount of Rs.45,00,000/- has already been paid and the remaining Rs.15,00,000/- is being paid today through demand draft bearing No. 494101 drawn on Punjab and Sind Bank.

5. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Respondent No.2, who is also present in Court, is identified by the Investigating Officer. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the present petitioners.

6. Respondent No.2 also states that she has entered into the aforesaid Settlement Deed 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.

7. Learned counsels for the parties submit 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 summoning order and the consequent proceedings arising therefrom are hereby quashed subject to encashment of the demand draft.

10. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

JANUARY 24, 2024

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