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

+ **CRL.M.C. 9241/2023**

YOGESH KATARIA & ORS.

..... Petitioners

Through: Mr. H.L. Rai, Mr. Avinash Kumar
and Mr. Anoop Singh, Advocates
with petitioners in person.

versus

THE STATE OF NCT OF DELHI & ANR Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Anju PS Mandawali, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **13.03.2024**

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 21/2020 registered under Sections 498A/406/34 IPC at P.S. Mandawali, 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. Mr. Nawal Kishore Jha, learned APP for the State submits that 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 vide Memorandum of Understanding/Settlement dated 05.07.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 04.10.2023 passed by Family Court, South District, Saket Courts, Delhi in HMA No. 1804/2023. It was agreed that a sum of Rs.10,00,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2. Out of the settlement amount, the balance amount of Rs.2,00,000/- is being paid today through cheque, a photocopy of which has been placed on record. The petitioners undertake that the said cheque will be encashed upon presentation.

5. Petitioners, who are present in Court, have been identified by their counsel as well as by I.O./ SI Anju PS Mandawali, Delhi. Respondent No.2, who is also present in Court, has been identified by I.O.

6. Respondent No. 2 states that she has settled her disputes with the petitioners of her own free will, volition and without any coercion. She also submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the cheque of Rs.2,00,000/- handed over today.

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 and undertaking 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 aforesaid cheque of Rs.2 lac.



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

MANOJ KUMAR OHRI, J

MARCH 13, 2024/rd