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

+ CRL.M.C. 6596/2024 CRL. M.A.25201/2024

SHRI GAURAV & ORS.Petitioners

Through: Mr. Vikram Dua, Advocate with
petitioners in person.

versus

STATE (NCT. OF DELHI) THROUGH SHO PS. GANDHI NAGAR
& ANRRespondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Vivek Kumar PS Gandhi
Nagar, Delhi.
Mr. Rajat Jain and Mr. Anuvansh
Gupta, Advocates for respondent no.2
with respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

23.08.2024

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1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 297/2022 registered under Sections 498A/354/354A/406/34 IPC at P.S. Gandhi Nagar, 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); petitioner Nos. 2 and 3 are the parents-in-law and petitioner no. 4 is the brother-in-law of the complainant herein.
3. Mr. Nawal Kishore Jha, learned APP for the State submits that the chargesheet has already been filed and that in the present case, the petitioners are the only accused persons against whom the chargesheet has



been filed and respondent No. 2 is the complainant/victim. It is further stated that there is a minor child born out of the wedlock who is presently in the custody of the respondent No.2. He, on instructions from the I.O., further states that Sections 354/354-A IPC have subsequently been added against the petitioner No.4 vide the chargesheet.

4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Memorandum of Settlement dated 16.02.2024, a copy whereof has been placed on record. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 24.05.2024 passed by the Family Court, North District, Rohini Courts, Delhi in HMA No. 651/2024. Further, it was agreed that a sum of Rs.10,00,000/- shall be paid by petitioner No. 1 to respondent No. 2 as full and final settlement, towards her claims qua maintenance, stridhan, alimony, etc. It is further submitted that out of the settled amount of Rs.10,00,000/-, the balance amount of Rs.4,00,000/- is being paid today through a demand draft bearing number 239740 drawn on State Bank of India.

5. Learned counsel for the petitioners, on instructions from the petitioner No.1, 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 Court, reiterates the same. In acknowledgement of the said statement, petitioner No.1 and his counsel have signed the order sheet.

6. The petitioners and the respondent No.2, who are present in Court, have been identified by their respective counsels as well as by I.O./ SI Vivek Kumar, P.S. Gandhi Nagar, Delhi.



7. 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 the entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners, subject to encashment of the demand draft of Rs.4,00,000/- handed over to her today.

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 the 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 encashment of aforesaid demand draft of Rs.4,00,000/-.

11. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

AUGUST 23, 2024/rd