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

+ CRL.M.C. 9262/2023 and CRL.M.A. 34609/2023

ANUJ PANWAR

..... Petitioner

Through: Mr.Rushil P. and Mr.Rajesh Kumar,
Advocates with petitioner in person

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Ashneet Singh, APP for State with
SI Kuldeep Singh
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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02.02.2024

1. By way of present petition filed under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.5/2021 registered under Sections 498A/406/34 IPC at P.S. Vasant Kunj North, 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 the petitioner (husband).
3. Learned APP for the State submits that the petitioner is the only accused person and respondent No. 2 is the only complainant/victim.
4. Learned counsels for the parties submit that the parties have settled their disputes vide Settlement Deed dated 17.04.2023. It is stated that the parties have already been granted divorce by mutual consent vide divorce decree dated 23.05.2023 passed by the Family Court, Patiala House Courts, New Delhi. As per the terms of the settlement, it was agreed that a sum of



Rs.15,00,000/- would be paid as full and final settlement by the petitioner to respondent No. 2. It is further stated that a sum of Rs.5,00,000/- has already been paid and that the amount of Rs.5,00,000/- is being paid today vide demand draft bearing No.511559 dated 15.12.2023 drawn at ICICI Bank, Gurgaon. Learned Counsel for the Petitioner further undertakes that the remaining amount of Rs.5,00,000/- shall be paid at the time of second motion as per the terms of the settlement. This statement is accepted and taken on record. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. Learned counsel for the petitioner submits that the affidavit in terms of the Supreme Court decision in Ganesh v.Sudhirkumar Shrivastava and Ors. reported as **2019 SCC OnLine SC 1107** thereby stating that the rights of the minor child shall remain unaffected by the terms of the settlement has been filed and the same has been handed over in Court today. The same is taken on record.

6. The petitioner, who is present in the Court, has been identified by his counsel and the Investigating Officer. Respondent No.2, who is also present in Court, is identified by the Investigating Officer.

7. Respondent No. 2 states that she has entered into the aforesaid settlement 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.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements 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. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

FEBRUARY 2, 2024

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