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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9529/2023**

RAKESH KUMAR AND ORS

..... Petitioners

Through: Mr. Swadesh Kumar, Advocate with
petitioners in person.

versus

STATE AND ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Shantanu Singh, P.S. New
Ashok Nagar.

Mr. Arjun Kanojia, Mr. Nitin Kumar
and Mr. Vansh Khanna, Advocates
for respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.04.2024

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1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 0089/19 registered under Sections 498-A/406/34 IPC at P.S. New Ashok 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) and petitioner Nos. 2 to 4 are in-laws of the complainant.
3. Mr. Sabharwal, learned APP for the State submits that in the present case 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 before the Counselling Cell, Family Court, Karkardooam Court on 08.04.2019. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 15.01.2020 passed by the Family Court, East District, Karkardooma Court, Delhi in HMA No. 32/20. It was agreed that a sum of Rs.5,30,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2 towards her claims qua maintenance, stridhan, alimony, etc. It is further submitted that out of the total settled amount of Rs.5,30,000/-, remaining balance amount of Rs. 1,30,000/- is being paid today through a demand draft, a photocopy of which has been placed on record.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsel as well as by I.O./SI Shantanu Singh, P.S. New Ashok Nagar.

6. Respondent No. 2 states that she has settled her disputes with petitioner No.1 of her own free will, volition and without any coercion. She also acknowledges the receipt of 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. 1,30,000/- handed over to her 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 demand draft of Rs. 1.30 lacs.



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

APRIL 16, 2024

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MANOJ KUMAR OHRI, J