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

+ **CRL.M.C. 6931/2024**

ABHINAV JAITLEY & ORS.

.....Petitioners

Through: Mr. U. A. Khan (D/1260/06) and Mr.
Tushar Upadhyaya (D/5211/23),
Advocates along with Petitioners in
person.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Sonu Bhati (D-3244), PS Pandav
Nagar
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

03.09.2024

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CRL.M.A. 26511/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 6931/2024

1. The present petition under Section 528 of BNSS, 2023 has been filed by the Petitioners for quashing FIR No.440/2020 dated 19.09.2020, registered at Police Station Pandav Nagar for offences punishable under Sections 498A/323/406/509/34 IPC. The present FIR is the outcome of a matrimonial dispute between the parties. The Respondent No.2 is the Complainant and the Petitioner No.1 is the husband of the Complainant.
2. The principal ground on which the present petition has been filed is that the parties have settled the dispute before the Delhi Mediation Centre,



Karkardooma Courts, Delhi *vide* a Settlement dated 16.08.2023. It is stated the parties had filed a petition for divorce by mutual consent before the Ld. Judge, Family Court, East District, Karkardooma Courts, Delhi and by a Judgment and Decree dated 04.07.2024, the marriage between the complainant/Respondent No.2 and the Petitioner No.1/husband stands dissolved. It is further stated that as per the settlement, the Petitioner No.1/husband has agreed to pay a sum of Rs.37,00,000/- to the complainant/Respondent No.2 towards the full and final settlement of all her claims in the following manner:

- a. A sum of Rs.5,00,000/- was to be paid at the time of recording of statement of the First Motion.
 - b. A sum of Rs.25,00,000/- was to be paid at the time of recording of statement of the Second Motion.
 - c. A sum of Rs.7,00,000/- was to be paid at the time of quashing of the present FIR.
3. Today, the parties are present in Court. The Petitioners have been identified by their Counsel and the Investigating Officer. The Respondent No.2/complainant has been identified by the Investigating Officer. The Complainant/Respondent No.2 states that she has received the entire amount as per the settlement and has settled all her matrimonial disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence and states that she does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement and proceedings recorded before this Court.
4. Considering the fact that the dispute is a matrimonial dispute and the



parties have amicably settled their disputes and the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is satisfied that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.440/2020 dated 19.09.2020, registered at Police Station Pandav Nagar for offences punishable under Sections 498A/323/406/509/34 IPC and the proceedings emanating therefrom are hereby quashed

5. The petition stands disposed of in above terms, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 3, 2024

S. Zakir