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

+ **CRL.M.C. 5/2024**

VARUN KUMAR AND ORS

..... Petitioners

Through: Mr. Varun Varma, Ms. Saloni Kaushik, Mr. Prashant Kumar Jha, Ms. Himali Choudhary, Advocates with petitioner in person.

versus

STATE(GOVT OF NCT OF DELHI)

AND ANR

..... Respondents

Through: Mr. Naval Kishore Jha, APP for State/R-1 with SI Shubhanshu, PS Mandawali.

Mr. Kunwar Pal Singh and Mr. Pradeep Kumar Sharma, Advocates for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

03.01.2024

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CRL. M.A. 13/2024

1. Allowed, subject to all just exceptions.

2. Application is disposed of.

CRL.M.C. 5/2024

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 0662/2022 registered under Sections 498-A/406/34 IPC at P.S. Mandawali Fazalpur, Delhi on the ground that the parties have been able to reach an amicable settlement before the Mediation Centre at Karkardooma Courts vide Settlement Agreement dated 06.01.2023 according to which it was agreed that



petitioner No.1 would pay an amount of Rs.6,75,000/-. It is stated that Rs.5 lacs have already been paid to respondent No.2 and the remaining amount of Rs.1,75,000/- has been paid today in the Court by way of Demand Draft No.451069 drawn on Punjab National Bank, Yamuna Vihar, Delhi-110053. The copy of the Settlement Agreement has been placed on record. It is assured by the petitioners that the instrument would be encashed on presentation. It is further stated that the parties have been granted divorce by mutual consent vide decree sheet/order dated 28.08.2023. As per the terms of the settlement, the parties have agreed that the minor children would be free to have recourse to the provisions of law for seeking appropriate relief from the court in relation to the aspect of maintenance, education and up-bringing.

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 5 are the relatives of the petitioner No.1.

3. Mr. Naval Kishore Jha, learned APP for the State, submits that in the present case the petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.

4. Learned counsels for the parties submit that after ironing out their differences the parties have settled their disputes and have already been granted divorce by mutual consent vide decree sheet/order dated 28.08.2023.

5. The petitioners and respondent No. 2, who are present in the Court, are identified by their respective counsels as well as by the Investigating Officer/SI Shubhanshu, PS Mandawali. The entry pass of respondent No.2 has been placed on record.

6. The petitioner reiterates that the rights of the minor child shall remain



unaffected by the terms of the settlement. Respondent No.2 states that she is giving this statement out of her own free will, volition and without any coercion. She also states that in view of the settlement arrived at between the parties, she has no objection if the present FIR and the consequent proceedings are quashed.

7. Learned counsels for the parties submit 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.

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

MANOJ KUMAR OHRI, J

JANUARY 3, 2024/rd