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

+ **CRL.M.C. 6965/2024 & CRL.M.A. 26602/2024**

AMIT JHA & ORS.

.....Petitioners

Through: Mr. Kushal Kumar, Mr. Akashdeep Gupta, Mr. Harsh Ahuja, Mr. Additya Kapoor, Advocates with Petitioners in persons.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Usman, APP for the State.
W/SI Vandana, D-3241, PS Madhu Vihar

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

06.09.2024

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1. The present petition has been filed for quashing FIR No.427/2022 dated 05.08.2022, registered at Police Station Madhu Vihar for offences under Section 498A, 406, 313, 34 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of a matrimonial dispute between the parties.

2. The principal ground on which the present petition has been filed is that the parties have amicably resolved their disputes by a settlement agreement dated 17.11.2022 arrived at between the parties before the Delhi Mediation Centre, Karkardooma Court. As per the settlement agreement, the Petitioner No.1 has agreed to pay a sum of Rs.19,50,000/- to Respondent No.2/Complainant towards full and final settlement of all her claims in the



following manner:-

- a. A sum of Rs.5,00,000/- was received by the Respondent No.2 at the time of recording of first motion.
 - b. A sum of Rs.5,00,000/- has been deposited in the form of FDR in the name of minor child of the Respondent No.2 & Petitioner No.1.
 - c. A sum of Rs.5,00,000/- was received by the Respondent No.2 at the time of recording of second motion.
 - d. Remaining Rs.4,50,000/- was to be paid during the quashing of the FIR.
3. The Petitioner No.1 and Respondent No.2/Complainant are present in Court. Petitioners No.2, 5 & 6 have joined the proceedings through Video Conferencing. The parties have been identified by their respective Counsels and the Investigating Officer. It is stated that Petitioner No.3, who is the mother of the Petitioner No.1 and Petitioner No.4, who is the father of the Petitioner No.1, are not in a position to join the present proceedings because they are residing in the native village of the Petitioner No.1.
4. Respondent No.2/Complainant has filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. Balance amount of Rs.4,50,000/- has been given to the Respondent No.2 during the course of the hearing by way of a demand draft. Respondent No.2 states that she has received the entire amount and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence. She also states that the custody of the child has also been handed-over to her.
5. Even though Petitioners No.3 & 4 have not joined the present proceedings, however, considering the fact that the dispute is a matrimonial



dispute and the parties have amicably settled their disputes, 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. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.427/2022 dated 05.08.2022, registered at Police Station Madhu Vihar for offences under Section 498A, 406, 313, 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

6. The petition stands disposed of with the above observations along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 6, 2024

Rahul