



\$~74

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

+ **W.P.(CRL) 2708/2024**

SAURABH JAIN

.....Petitioner

Through: Mr. Sanyam Khetarpal and Ms.
Prakriti Anand (D-5830/4),
Advocates with Petitioners-in-person

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State.

Mr. Kapil Yadav (D/1885/2008), Mr.
Akash Seth, Mr. Nikhil Yadav, Mr.
Rohit Kumar and Mr. Deepak Kumar,
Advocates for Respondent No. 2 with
Respondent No.2 in person (through
video-conferencing)

SI Sonal Raj, D-5195, PS Model
Town

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

09.09.2024

%

1. The Petitioners have approached this Court for quashing FIR No.492/2023 dated 11.08.2023 registered at Police Station Model Town for the offences punishable under Sections 498A, 406 & 34 of IPC. The present FIR is the outcome of a matrimonial dispute between the parties.

2. On 04.09.2024, learned Counsel for the Petitioner sought time to file an amended memo of parties impleading all the accused persons to the present petition. Subsequently, Petitioners No.2 to 5, were also impleaded in



the present petition by filing an amended memo of parties.

3. It is stated that the parties have resolved their disputes by way of a Memorandum of Understanding dated 07.10.2023 entered into between the parties. As per the Memorandum of Understanding dated 07.10.2023, Petitioner No.1 has agreed to pay a sum of Rs.4,00,000/- to Respondent No.2 towards full and final settlement of all her claims in the following manner:

- a) A sum of Rs.1,00,000/- was to be paid at the time of execution of the Memorandum of Understanding.
- b) A sum of Rs.1,00,000/- was to be paid at the time of recording of the statement of first motion.
- c) A sum of Rs.1,00,000/- was to be paid at the time of recording of the statement of second motion.
- d) A sum of Rs.1,00,000/- was to be paid at the time of quashing of the FIR.

4. Petitioners No. 1 to 3 are present in Court. Petitioners No.4 & 5 and Respondent No.2/Complainant have joined the proceedings through video-conferencing. The parties have been identified by their respective Counsels and the Investigating Officer. Respondent No.2/Complainant states that she has received the entire amount and settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court

5. In view of the settlement arrived at between the parties and also in view of the fact that the instant case is squarely covered by the law laid



down by the Apex Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.492/2023 dated 11.08.2023 registered at Police Station Model Town for the offences punishable under Sections 498A, 406 & 34 of IPC and the proceedings emanating therefrom are hereby quashed.

6. With these observations, the petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 9, 2024

hsk