



\$~6

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(CRL) 112/2024 & CRL.M.As. 926-927/2024

SHUBHAM SHARMA

..... Petitioner

Through: Mr. Tushar Mehta and Mr. Aditya
Mehta, Advocates.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR..... Respondents

Through: Mr. Anand V. Khatri, ASC (Crl.) with
SI Sanjeet Rathee PS Nihal Vihar,
Delhi.

Mr. Kulbhushan Mehta and Mr
Pankaj Gupta, Advocates for
respondent No.2 with respondent
No.2 through VC.

Brother of respondent No.2 in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

19.02.2024

%

1. The present petition has been filed under Article 226 of Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No.1300/2021 registered under Sections 498A/406/34 IPC at P.S. Nihal Vihar, 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 (husband) of the complainant.
3. Mr. Anand V. Khatri, learned ASC (Crl.) for the State submits that in



the present case petitioner is the only accused and respondent No. 2 is the complainant/victim.

4. Learned counsels for the parties submit that the parties have settled their disputes before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 08.07.2022. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 17.12.2022 passed by the Family Court (West), Tis Hazari Courts, Delhi in HMA No. 3430/2022. It was agreed that a sum of Rs.3,50,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2. Out of the settlement amount of Rs.3,50,000/-, the balance amount of Rs.50,000/- is being paid today through a demand draft bearing number 002205 drawn on ICICI Bank, Nehru Place, New Delhi. The said demand draft has been handed over to the brother of the complainant/respondent No.2, who is present in Court and has also been identified by the I.O.

5. Petitioner, who is present in Court, and respondent No.2, who has joined the proceedings through VC, have been identified by their respective counsels as well as by I.O./ SI Sanjeet Rathee PS Nihal Vihar, Delhi.

6. Respondent No. 2 states that she has settled her disputes with petitioner of her own free will, volition and without any coercion. She further submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the demand draft of Rs.50,000/- handed over today.

7. Learned counsel for the petitioner 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.50,000/-.

10. With the above directions, the petition is disposed of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J

FEBRUARY 19, 2024/*rd*