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

+ **CRL.M.C. 7080/2024**

SH. VIKAS AND ORS.

.....Petitioner

Through: Mr. Ranvir Vats, Ms. Ritu Vats and
Mr. Prateek Vats, Advocates.

versus

STATE (GNCT OF DELHI) AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Ekta, D-6546, PS Bindapur and SI
Ramnivas, D-5450, Special Branch.
Mr. Ankit Sharma, Ms. Ankita, Advs.
For R-2

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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09.09.2024

CRL.M.A. 27034/2024 (Exemption)

Allowed, subject to all just exceptions.

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1. The present petition has been filed for quashing FIR No.757/2017 dated 12.10.2017, registered at Police Station Binda Pur for offences under Section 498A, 406, 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 21.03.2023, entered into between the parties before the

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Counseling Cell, Dwarka Courts. As per the settlement agreement, the Petitioner No.1 has agreed to pay a sum of Rs.16,00,000/- 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 statement in the first motion petition.
 - b. A sum of Rs.5,00,000/- was received by the Respondent No.2 at the time of recording of statement in the second motion petition.
 - c. Remaining Rs.6,00,000/- was to be paid during the quashing of the FIR.
3. The Petitioners and the Respondent No.2/Complainant have joined the proceedings. The parties have been identified by their respective Counsels and the Investigating Officer.
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.6,00,000/- 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. Needless to state that the present settlement is between the parents of the child of Petitioner No.1 & Respondent No.2 and it cannot take away the rights of the child in any manner.
5. 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.757/2017 dated 12.10.2017, registered at Police Station Binda Pur for offences under Section 498A, 406, 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 9, 2024

Rahul