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

+ CRL.M.C. 7115/2024, CRL.M.A. 27119/2024

VINAY MEHTA AND ORS.

.....Petitioners

Through: Mr. Joney (1674/2020), Advocate.

versus

THE STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Rahul Sharma (D/1232/05), Mr.
Saurabh Dwivedi, Mr. Atul Sharma,
Mr. Gyan Ranjan, Advocates for R-2.
SI Vijay, D-1507, Insp. Harkesh
Meena, PS Mahendra Park, New
Delhi.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **23.09.2024**

1. Petitioner has approached this Court seeking quashing FIR No.776/2021, dated 01.07.2021, registered at Police Station Mahendra Park 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 petition has been filed on the ground that the parties have amicably resolved their disputes by a settlement agreement dated 21.12.2023 arrived at between the parties before the Delhi High Court Mediation and Conciliation Centre. As per the settlement agreement, the Petitioner No.1 has agreed to pay a sum of Rs.4,50,000/- to Respondent No.2/Complainant towards full and final settlement of all her claims in the following manner:-



- a. A sum of Rs.1,50,000/- was received by the Respondent No.2 at the time of recording of first motion.
 - b. A sum of Rs.1,50,000/- was received by the Respondent No.2 at the time of recording of second motion.
 - c. Remaining Rs.1,50,000/- was to be paid during the quashing of the FIR.
3. The Petitioners No.1-4 and Respondent No.2/Complainant are present in Court. Petitioner No.5 has joined the proceedings through Video Conferencing. 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.1,50,000/- 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. 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.776/2021, dated 01.07.2021, registered at Police Station Mahendra Park 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. Needless to state that the present settlement is between the parents of the children, i.e. between the Petitioner No.1 & Respondent No.2, and it cannot take away the rights of the children in any manner.

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

SUBRAMONIUM PRASAD, J

SEPTEMBER 23, 2024

Rahul