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

+ **CRL.M.C. 7213/2024**

MANOHAR SINGH AND OTHERS

.....Petitioners

Through: Mr. Pavitra Veer Singh (D-238/2014),
Mr. Vikram Singh, Ms. Shinu Gupta,
Advs.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Priyanaka, PS Shahdara
Complainant in Person

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **11.09.2024**

CRL.M.A. 27536/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 7213/2024

1. The present petition has been filed for quashing FIR No.664/2015 dated 30.12.2015, registered at Police Station Shahdara 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, arrived at between the parties before the Delhi



Mediation Centre, Karkardooma Courts. As per the settlement agreement, the Respondent No.2 has forgone all her claims qua the marriage. The settlement Agreement further records that the custody of the minor child shall remain with the Respondent No.2 and the Petitioner No.1 shall not claim any visitation rights at any stage.

3. The Petitioners and the Respondent No.2/Complainant are present in Court. 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. She states that she 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, i.e. between the 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.664/2015 dated 30.12.2015, registered at Police Station Shahdara 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 11, 2024

Rahul