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

+ **W.P.(CRL) 2965/2024**

MANOJ GERA & ORS.

.....Petitioners

Through: Mr. Gaurav Chaudhary, Mr. Praveen
Kumar Sharma and Ms. Nikita Raj,
Advts. with petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Amit Peswani, Adv. for Ms.
Nandita Rao, ASC (Crl.) for State.
SI Sunit, PS Jagat Puri.
Mr. Saurabh Kaushik and Mr. Ankit
Parashar, Advts. for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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21.10.2024

CRL.M.A. 31650/2024 (Early hearing)

1. By way of present application, the petitioners/applicants seek early hearing of the petition.
2. Issue notice.
3. Learned ASC for the State as well as learned counsel for the complainant/respondent No. 2 accept notice and state that they have no objection to the same.
2. For the reasons mentioned in the application and in view of the no objection given on behalf of learned ASC for State as well as learned counsel for respondent No. 2, the application is allowed and disposed of



accordingly. The petition is taken up for hearing today itself.

W.P.(CRL) 2965/2024

1. By way of present petition, the petitioners seek quashing of FIR No.407/2015 registered under Sections 498A/406/34 IPC and Sections 3/4 Dowry Prohibition Act, at P.S. Jagat Puri, Delhi on the grounds 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 No.1 (husband) whereas petitioner Nos. 2 & 3 are the in-laws of the complainant.

3. Learned APP for the State submits that the petitioners are the only accused persons and respondent No. 2 is the complainant/victim in the present case.

4. Learned counsel for the petitioners submits that the parties have settled their dispute on 14.10.2023 vide Mediation Compromise arrived at between the parties before Delhi Mediation Centre, Karkardooma Courts, Delhi. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 23.07.2024 in HMA No.775/2024. Further, it was agreed between the parties that the petitioner No.1 shall pay an amount of Rs.39,50,000/- to the respondent No.2 as full and final settlement towards all her claims qua maintenance, stridhan, alimony, etc. It is submitted that out of the total settled amount, Rs.28,00,000/- has already been paid by the petitioner No.1 to the respondent No.2 by way of demand drafts and the remaining amount of Rs.11,50,000/- is being paid by the petitioner No.1 to the respondent No.2 today, out of which Rs.5,00,000/- is being paid in the shape of an FDR dated 05.10.2024 in the name of the minor child, *Jaksh*, deposited with Punjab



National Bank and Rs.6,50,000/- is being paid today to the respondent No.2 by way of a demand draft bearing No. 114668 dated 30.09.2024 drawn on Bank of Baroda. It is also submitted that respondent No. 2 is now left with no claim whatsoever against the petitioners.

5. Learned counsel for the petitioners, on instructions from the petitioner No. 1, submits that petitioner No.1 is ready and willing to state that the rights of the minor child, who is in the custody of respondent No. 2, as available under the law shall remain unaffected by the terms of the settlement. The petitioner No.1, who is present in the Court and identified by the I.O., reiterates the same. In acknowledgement of the said statement, petitioner No.1 and his counsel have signed the order sheets.

6. The petitioners and respondent No. 2, who are present in Court, have been identified by their respective counsels as well as by the Investigating Officer.

7. Respondent No. 2 states that she has entered into the aforesaid mediation settlement/agreement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

8. The parties shall remain bound by the statements and undertakings made in Court today.

9. Learned counsels for the parties also pray that in terms of the settlement arrived at between them, a sum of Rs. 2,00,000/-, which is lying deposited with the Registrar General of this Court in pursuance of the order dated 11.07.2016 passed in Bail APPLN. No.277/2016 be divided equally between the petitioner No. 1 and respondent No. 2. Accordingly, in case the aforesaid amount is still lying pending, the same alongwith the interest



accrued thereupon, be divided equally between the petitioner No. 1 and respondent No. 2. The parties shall be at liberty to approach the Registrar General concerned in this regard.

10. 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 the aforesaid demand draft.

11. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

OCTOBER 21, 2024

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