



\$~56

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8016/2024, CRL.M.A. 30596/2024**

JUNAID KHAN & ANR.

.....Petitioners

Through: Mr. Deepak Pandey, Advocate with
petitioners in person.

versus

**STATE GOVT NCT OF DELHI THROUGH SHO &
ANR.**

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Pardeep Malik, P.S. Jamia
Nagar.
Mr. Suhail Khan, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

09.10.2024

1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 0475/2022 registered under Sections 498A/406/34 IPC at P.S. Jamia Nagar, 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 No. 1 (husband) and petitioner No. 2 is mother-in-law of the complainant.
3. Ld. APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the complainant/victim.
4. It is submitted that parties have settled their disputes vide



MOU/Settlement dated 12.02.2024, a copy of which has been annexed with the petition. In terms of the settlement, marriage between the parties has already been dissolved by mutual consent vide decree dated 05.08.2024 passed by Family Court-2, South East, Saket Court, New Delhi. In terms of the settlement, it is agreed between the parties that petitioner No.1 shall pay a sum of Rs.5,00,000/- as full and final settlement to respondent No. 2 towards all expenditure of marriage expenses, maintenance present, past and future, permanent alimony and Mehar etc. It is further submitted that out of the total settled amount, a sum of Rs.3,00,000/- has already been paid and the remaining balance amount of Rs.2,00,000/- is being paid today to the respondent No.2 through a demand draft bearing No. 564764 drawn on Punjab National Bank, Nizamuddin West, New Delhi 110013.

Petitioner No.1, who is present in Court, undertakes that rights of the minor child, who is in the custody of respondent No.2, shall remain unaffected by the terms of the MOU/Settlement. In acknowledgement of his statement made today in Court, petitioner No.1 as well as his counsel have signed the present order sheet.

5. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsel as well as by I.O./SI Pardeep Malik, P.S. Jamia Nagar.

6. Respondent No. 2 states that she has settled her disputes with petitioner No.1 out of her own free will, volition and without any coercion. She also acknowledges the receipt of entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners, subject to encashment of demand draft of Rs.2 lacs given to her today in Court.



7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.
8. The parties shall remain bound by the statements and undertaking made in the 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.2 lacs.
10. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

OCTOBER 9, 2024

ga