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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 8179/2024 & CRL. MA 31279/2024

JASPAL BISHT & ORS

.....Petitioners

Through: Mr. Rakesh Sachdeva, Advocate with
petitioners in person.

versus

STATE NCT OF DELHI & ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Ramvir Singh and SI Umesh
Kumar PS Burari, Delhi.

Mr. Neeraj Verma, Advocate for
respondent no.2 with respondent no.2
with respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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18.10.2024

1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 602/2018 registered under Sections 498-A/406/34 IPC at P.S. Burari, 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) whereas petitioner Nos. 2 to 5 are the parents-in-law and the brothers-in-law of the complainant/respondent No.2, respectively.
3. Mr. Nawal Kishore Jha, learned APP for the State submits that in the present case, the petitioners are the only accused persons and respondent No. 2 is the complainant/respondent No.2. He further states that the charge-sheet has already been filed. It is also submitted that the minor girl child is in the



custody of the respondent No.2.

4. Learned counsel for the petitioners submits that the parties have settled their disputes vide settlement agreement dated 22.06.2024. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 17.09.2024 passed by the Family Court, Central District, Tis Hazari Court, Delhi in HMA No. 1426/2024. Further, it was agreed between the parties that the petitioner No.1 shall pay the respondent No.2 an amount of Rs.7,50,000/- towards all her claims qua maintenance, *stridhan*, alimony, etc. by way of demand drafts and shall also deposit an amount of Rs.7,50,000/- in the name of their minor child in the form of NSC/FDR which the minor child will be entitled to encash upon attaining majority. It is further submitted that out of the total settlement amount of Rs.15,00,000/- (Rs.7,50,000/- to the respondent No.2 and Rs.7,50,000/- in the name of the minor child), Rs.5,00,000/- has already been paid to the respondent No.2 and an NSC/FDR of Rs.5,00,000/- has already been made in the name of the minor child. Further, Rs.2,50,000/- is being paid today to the respondent No.2 by the way of a demand draft bearing 014797 drawn on HDFC Bank and an NSC/FDR of Rs.2,50,000/- has been deposited in the name of the minor child, *Kaniksha Bisht*, dated 30.09.2024.

5. The petitioners, who are present in Court, have been identified by their counsel as well as by the I.O. / SI Ramvir Singh and SI Umesh Kumar PS Burari, Delhi. 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 Court, reiterates the same. In acknowledgement of the said undertaking, petitioner No.1 and his counsel have signed the order sheet.

6. Respondent No.2, who is also present in Court, has been identified by her counsel as well as by I.O./ SI Ramvir Singh and SI Umesh Kumar PS Burari, Delhi. She states that she has settled all her disputes with petitioner No.1 out of her own free will, volition and without any coercion. She also acknowledges the receipt of the entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners, subject to the encashment of the demand draft of Rs.2,50,000/- handed over to her today.

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 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.2,50,000/-.

10. With the above directions, the petition is disposed of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J

OCTOBER 18, 2024/rd