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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3518/2024, CRL.M.A. 33713/2024**

UMESH KUMAR & ORS.

.....Petitioners

Through: Mr. Dipesh Kumar Choudhary, Mr. Mukesh Chauhan and Mr. Sachin Jangir, Advocates with petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for State with Mr. Abhinav Kr. Arya alongwith SI Prashant, P.S. South Rohini
Mr. Dewan Singh, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

12.11.2024

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1. The present petition has been filed under Article 226 of the Constitution of India on behalf of the petitioners seeking quashing of FIR No. 0372/2022 registered under Sections 498A/406/34 IPC at P.S. South Rohini, 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 Nos. 2 to 4 are in-laws of the complainant.
3. Learned Standing Counsel for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the



complainant/victim.

4. Learned counsel for the petitioners submits that the parties have settled their disputes before the Delhi Mediation Centre, Dwarka Courts, Delhi on 21.12.2023. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 26.09.2024 passed by the Family Court-1, South West, Dwarka Court, Delhi in HMA No. 2461/2024.

5. Petitioner No.1 and respondent No.2, who are present in Court, have been identified by their respective counsel as well as by the IO. The parties submit that two male children have born out of the wedlock. They further submit that as per the settlement arrived at between them, one male child shall remain in the custody of petitioner No.1 while the other male child shall remain with the respondent No.2. They undertake that the rights of the minor children shall remain unaffected by terms of the settlement arrived at between the parties. In acknowledgment of the said statement made in Court today, both petitioner No.1 and respondent No.2 as well as their counsel have signed the present order sheet.

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 submits that she has no objection in case the FIR is quashed against the petitioners.

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.

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

MANOJ KUMAR OHRI, J

NOVEMBER 12, 2024

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