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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8925/2024 and CRL.M.A. 34159/2024
PRASHANT DEWAN ORSPetitioners
Through: Mr.Nitin Tittal, Advocate with
petitioners in person

versus

STATE OF DELHI & ANR.Respondents
Through: Mr.Shoaib Haider, APP for State with
WSI Jitender
Mr.Anubhav Singh, Advocate for respondent No.2
with respondent No.2 in person

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

14.11.2024

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1. By way of present petition, the petitioners seek quashing of FIR No.123/2016 registered under Sections 498A/406/323/506/354/34/377 IPC at P.S. Nanakpura, 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 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. He further submits that the chargesheet in the present matter has been filed and Section 377 IPC has been levelled only against petitioner No.1/husband.
4. Learned counsels for the parties submit that the parties have settled their dispute vide Memorandum of Understanding dated 15.10.2024. It is



stated that petitioner No.1 and respondent No.2 have already been granted divorce by ex-parte judgment dated 17.06.2020 passed by the Family Court, South District, Saket Courts, New Delhi. It is further submitted that out of the settlement amount, the balance amount of Rs.13,00,000/- is being paid today through a demand draft bearing No.032843 dated 14.11.2024 drawn on State Bank of India. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioners.

5. Petitioner No.1, who is present in Court, states that the rights of the minor child, who is in the custody of respondent No.2, shall remain unaffected by the terms of the settlement arrived at between the parties. In acknowledgement of the said statement, petitioner No.1 and his counsel have signed the order sheet.

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

7. Respondent No.2 states that she has entered into the aforesaid Memorandum of Understanding 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 subject to encashment of the aforesaid demand draft.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements made in Court today.

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 alongwith the pending application.

MANOJ KUMAR OHRI, J

NOVEMBER 14, 2024
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