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

+ CRL.M.C. 9394/2024

RAJAN VIRMANI & ORS.

.....Petitioners

Through: Ms. Supriya Juneja & Mr. Aditya
Singla, Advocates with petitioners in
person

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State & SI Abhishek, PS Hari Nagar

Mr. Adeeb Ahmad, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

02.12.2024

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1. This petition has been filed seeking quashing of FIR No.673/2020 registered at P.S. Hari Nagar, under Sections 498A/406/377/34 IPC, basis settlement arrived at between the parties dated 31st August 2024, which is on record of this Court.

2. Petitioner no.1 and respondent no. 2 are present in Court while petitioner nos. 2 to 4, who are family members of petitioner no.1 are present through VC, all of them are duly identified by IO and the respective counsels.

3. As per the settlement, an amount of Rs.10.50 lakhs was to be paid to respondent no.2 at the time of first motion by petitioner no.1, which has been paid and confirmed by respondent no.2. as per agreement, further amount of Rs. 10.50 lakhs is to be paid at the time of second motion, which is yet to be filed.



4. Respondent no.2 states that she has no objection to quashing the FIR subject to compliance with the terms of settlement by petitioner no.1. Petitioner no.1 undertakes before the Court that he shall fully comply with the terms of settlement and will tender a further sum of Rs.10.50 lakhs at the time of second motion.
5. Two children were born out of wedlock between petitioner no.1 and respondent no.2.
6. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.673/2020 registered at P.S. Hari Nagar, under Sections 498A/406/377/34 IPC and proceedings emanating therefrom are quashed, subject to compliance of terms of settlement by petitioner no.1.
7. Parties shall abide by the terms of settlement.
8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
9. It is however made clear that the said settlement will not affect the rights of the minor children in future.
10. In the event, there is any non-compliance of undertaking by the petitioner, respondent no.2 shall be at liberty to approach this Court by way of an application.
11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 2, 2024/sm