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

+ CRL.M.C. 9919/2024 & CRL. MA 37980/2024

ARUN KUMAR DIXIT & ORS.Petitioners

Through: Mr. Raj Kumar, Advocate with
petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANRRespondents

Through: Mr. Shoaib Haider, APP for State
with SI Ritika Chaudhary and PSI
Vishant Bhardwaj PS New Ashok
Nagar, Delhi.
Mr. S.S. Rawat, Advocate for
respondent no.2 with respondent no.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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17.12.2024

1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 0636/2016 registered under Sections 498-A/406/34 IPC at P.S. New Ashok 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) whereas petitioner Nos. 2 to 4 are the in-laws of the complainant.
3. Mr. Shoaib Haider, 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/victim. He further states that charge-sheet already stands filed. It is also submitted that petitioner No.4 has since expired and a copy of her death certificate has also been placed on record.



4. Learned counsel for the petitioners submits that the parties have settled their disputes before Delhi Mediation Centre, Karkardooma Courts on 26.07.2018. In terms of the settlement, the parties have already been granted divorce by mutual consent vide divorce decree dated 22.11.2021 passed by the Family Court, East District, Karkardooma Courts, Delhi in HMA No. 197/2021. It is also stated that all payments have been made by petitioner No. 1 to respondent No. 2 towards her claims qua maintenance, stridhan, alimony, etc.

Learned counsel for the petitioners further draws the attention of this Court to paragraph 5 of the affidavit dated 12.09.2024 filed by petitioner No.1 wherein it has been stated that the rights of the minor children of the parties shall not be affected by the settlement arrived at between the parties in terms of the decision of the Supreme Court in Ganesh v. Sudhirkumar Shrivastava and Others, reported as **2019 SCC OnLine SC 1107**.

5. It is further stated by the learned counsel for the petitioners, on instructions from petitioner No.1, that out of the total settled amount, balance amount of Rs. 4,00,000/- is being paid to respondent No.2, out of which Rs. 2,00,000/- shall be paid by way of DD in the name of the respondent No.2 and an FDR will be made for the remaining Rs. 2,00,000/- in the name of girl child *Ruhi* and that the said FDR shall be under the guardianship of the respondent No.2 till the girl child attains the age of majority. Respondent No.2 acknowledges the receipt of the same.

6. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsels as well as by the I.O./ SI Ritika Chaudhary and PSI Vishant Bhardwaj PS New Ashok Nagar, Delhi.

7. 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 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 aforesaid demand draft.

8. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements and undertaking 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.

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

MANOJ KUMAR OHRI, J

DECEMBER 17, 2024/rd