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

+ CRL.M.C. 3696/2018

NITIN RANA & ORS.

.....Petitioners

Through: In person with Ms.Tanya Agarwal
& Mr. Gaurav Kalra, Advocates

Versus

GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr.Shoaib Haider, Additional
Public Prosecutor for Respondent
No.1-State
Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **18.03.2025**

1. The present Petition under Section 482 Cr.P.C. has been filed by the Petitioners seeking quashing of FIR No.33/2013, under Sections 406/498A/34 IPC, registered at Police Station K.N.Katju Marg, New Delhi and the proceedings emanating there-from.

2. Learned Counsel for Petitioners has submitted that the parties had arrived at an amicable settlement on 27.04.2013 in proceedings pertaining to interim bail Application under Section 438 Cr.P.C. filed by Petitioner No.1. Both the parties had voluntarily agreed for payment of Rs.4,00,000/- towards full and final settlement of all the claims of Respondent No.2. A sum of Rs.2,00,000/- was deposited in the nationalized bank in the form of Fixed Deposit Receipt and Rs.1,00,000/-



was paid at the time of moving of second motion. The remaining balance of Rs.1,00,000/- has to be paid at the time of quashing of the FIR in question.

3. Pursuant to the aforesaid settlement, the parties applied for divorce by mutual consent and their marriage was dissolved by Decree of Divorce dated 06.07.2013 by the learned Principal Judge, Family Court, Rohini Delhi.

4. Respondent No.2, present in the Court, submits that the compromise reached with Petitioners was not in respect of child of the parties.

5. Learned Counsel for Petitioners submits that Petitioners are willing and ready to pay balance amount of Rs.1,00,00/-, however, Respondent No.2 is not coming forward to accept it and is not cooperating in quashing of FIR.

6. At this stage, Petitioner has agreed to transfer balance amount of Rs.1,00,000 in the account of Respondent No.2 through RTGS today itself, but Respondent No.2 has refused to give account details. She has also refused accept the offer of payment in cash.

7. In view of the fact that the matrimonial dispute between Petitioner No.1 and Respondent No.2 wife was resolved in terms of Settlement and Order dated 27.04.2013 and major part thereof has already been complied with and that Decree of Divorce has been granted *vide* Order dated 06.07.2013, no fruitful purpose would be served in continuing with the proceedings arising out of FIR in question.

8. Petitioner No.1 is directed to deposit the amount of Rs.1,00,000/- with the Registrar General of this Court within one week, which shall be



kept in the form of Fixed Deposit Receipt in auto renewal mode. Respondent No.2 is at liberty to withdraw the amount on making an appropriate Application as per law.

9. With aforesaid directions, FIR No.33/2013, under Sections 406/498A/34 IPC, registered at Police Station K.N.Katju Marg, New Delhi and the proceedings emanating therefrom are hereby quashed.

10. It is made clear that the settlement is *inter se* the Petitioner and Respondent No.2 is without prejudice to the rights of the child.

11. The present Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

MARCH 18, 2025

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