

45.

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3082/2010

DEEPAK VERMA & ORS

..... Petitioners

Through: Mr. Kumar Nikhil, Advocate with all
the petitioners in person except petitioner No.2

versus

STATE & ORS

..... Respondents

Through: Mr. Sunil Sharma, APP for the State.
Mr. J.B. Nagar, Advocate with respondent No.2
in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% 27.09.2010

1. The present petition is filed by the petitioners under Section 482 of the Cr.PC praying *inter alia* for quashing of FIR No.784/2006, lodged by the complainant/respondent No.2, wife of the petitioner No.1 and his relatives, petitioner No.2 to 12 under Sections 498A/406/34 IPC, registered with Police Station: Nand Nagri, Delhi.

2. At the outset, counsel for the petitioners states that the father of petitioner No.1, Shri Radhey Raman though impleaded as petitioner No.2 in the present petition, had expired on 08.08.2010. He hands over a death certificate dated 11.08.2010 in respect of petitioner No.2, issued by the Cantonment Board, Meerut Cantt. The same is taken on the record.

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file and no page is missing.

3. Counsel for the petitioners states that the marriage of the petitioner No.1 and the complainant/respondent No.2 was solemnized on 26.01.2004 at Delhi. From out of the wedlock, a female child was born, who is now five years' old. After the marriage, disputes and differences arose between the parties, as a result of which, the complainant/respondent No.2 lodged the aforesaid FIR. After completion of the investigation, a charge-sheet was filed in the trial court and the matter is stated to be pending at the stage of prosecution evidence. In the meantime, the parties interacted with each other directly through the good offices of their family members, relatives and well-wishers and have now arrived at a settlement.

4. Counsel for the petitioners draws the attention of this Court to para-2 of the present petition to indicate the terms and conditions of the settlement. He states that the petitioners agreed to pay a sum of Rs.1,70,000/- to the complainant/respondent No.2 in full and final settlement of all her claims against them. Out of the aforesaid amount, a sum of Rs.1 lac was paid to the respondent No.2/complainant in two installments of Rs.50,000/- each. The balance sum of Rs.70,000/- is handed over to the complainant/respondent No.2 through counsel today. It is further stated that the parties jointly filed an application for divorce by mutual

consent, which was allowed by the learned ADJ vide judgment and decree dated 27.04.2010, copy of which is handed over by the counsel for the petitioners and taken on the record.

5. The complainant/respondent No.2, who is present in Court and represented by her counsel, confirms the aforesaid position and affirms that the parties have arrived at a settlement and pursuant thereto, she has received a sum of Rs.1,70,000/- in full and final settlement of all her claims against the petitioners. She further states that in view of the settlement arrived at between the parties, she does not want any further action to be taken on the aforesaid FIR.

6. Learned APP for the State states that in view of the settlement arrived at between the parties, he has no objection to the prayer made in the present petition being allowed.

7. This Court has heard the counsels for the parties and perused the record and has also considered the submissions made by the parties. In view of the fact that the parties have arrived at a settlement of their own free will and volition and without any undue influence or coercion from any quarters, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom.

8. Accordingly, the prayer made in the petition is allowed. 9
FIR No.784/2006 lodged by the complainant/respondent No.2 with
Police Station: Nand Nagri, and all the proceedings arising therefrom
stand quashed.

9. The petition is disposed of. File be consigned to the record room.



HIMA KOHLI,J

SEPTEMBER 27, 2010
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