

#41

16.11.2010

Present: Mr. N.S. Negi, Advocate for the petitioners.
Mr. R.N. Vats, APP for the State.
Mr. K.L. Choudhary, Advocate for respondent No.2

+ Crl.M.A. No.17376/2010 in Crl.M.C. No.3557/2010

Exemption is allowed, subject to all just exceptions.

The application is disposed of.

Crl.M.C. No.3557/2010

1. This is a petition seeking quashing of FIR No.373/2009 under Sections 498A/406/34 IPC P.S. Burari registered on the complaint of respondent No.2.

2. The ground for seeking quashing of the FIR is that the FIR was a result of matrimonial discord between the parties and parties have settled the dispute and now there is no dispute left between them. Terms of settlement are placed at page 34 of the petition.

3. Petitioners No.1, 2 and 4 are present in Court. They are identified by their counsel Mr. N.S. Negi, Advocate who is also representing the other petitioners.

4. Respondent No.2 is present in Court. She is identified by her counsel Mr. K.L. Choudhary, Advocate as well as the I.O., ASI B.S. Meena, P.S. Burari.

Signature Not Verified

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Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

5. Petitioners and respondent No.2 confirm that they have settled their dispute in mediation and they have arrived at an amicable settlement. Now there is no dispute left between them. It is submitted that as per the settlement, the petitioners agreed to pay to respondent No.2 a sum of ₹4,00,000/- against *stridhan*, maintenance and permanent alimony. Out of the said amount, ₹2,00,000/- has already been paid to respondent No.2 and balance ₹2 lakhs is now being paid vide five bank drafts of ₹40,000/- each bearing No.852513 to 852517 dated 16.11.2010 drawn at UCO Bank, Service Branch, Delhi High Court, New Delhi in her favour.

6. Respondent No.2 Anita confirms that she has entered into a compromise with the petitioners of her own accord without any inducement or pressure during the mediation proceedings. She states that out of the settled amount, she was paid ₹2,00,000/- earlier and today she has received balance ₹2,00,000/- vide above noted five bank drafts of ₹40,000/- each issued in her favour. She states that now there is no dispute left between her and the petitioners and she does not want any action against the petitioners on the basis of the FIR registered on her complaint and prays for quashing of the FIR.

7. Learned APP states that in view of the settlement arrived at between the parties, the State has no objection if the above FIR and the proceedings emanating therefrom are quashed.

8. In view of the compromise arrived at between the parties, I feel that no useful purpose shall be served by keeping the FIR as well as proceedings arising out of the same alive. Accordingly, FIR No.373/2009

under Sections 498A/406/34 IPC P.S. Burari and the proceedings
emanating therefrom are quashed.

(3)

9. The petition stands disposed of.


(AJIT BHARIHOKE)
JUDGE

NOVEMBER 16, 2010

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