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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3045/2011

RAJEEV GARG & ORS

..... Petitioner

Through: Petitioners in person with Mr. Roop
Ram Sarwal, Advocate.

versus

STATE & ORS

..... Respondent

Through: Ms.Jasbir Kaur, APP.
Mr. Surendra Bharti, Advocate for
R2 with R2 in person.

CORAM:

HON'BLE MR. JUSTICE M.L. MEHTA

ORDER

% **25.11.2011**

This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No. 261/2007 under Sections 498A/406/34 IPC registered at P.S. Shakarpur on the complaint of the respondent No.2 on the ground of parties having amicably settled the dispute.

Petitioners as well as the respondent No. 2 are identified by their respective counsels. Respondent No. 2/complainant Shikha Garg was married to petitioner No. 1 Rajeev Garg. Out of the wedlock, one son child Sarthak was born, who is in custody and care of his mother. Now, the parties have got decree of divorce by

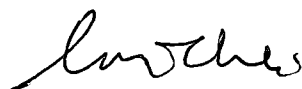
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mutual consent in terms of the settlement arrived at in mediation on 27th November, 2010 at Karkardooma District Courts. Both the petitioners and the respondent No. 2 state that they have compromised the matter. In terms of the compromise arrived at between the parties, a total sum of Rs. 2,80,000/- was to be paid to the respondent No. 2 by the petitioners. Out of the said amount, Rs. 1,80,000/- has already been paid to the respondent No. 2 and balance Rs. 1 lakh is paid today by way of a pay order. Respondent No. 2 states that she has compromised the matter with the petitioners of her own free will and volition and without any pressure or coercion and now, she is left with no grievance against the petitioners and she has no objection if the present FIR is quashed.

In view of the foregoing and the fact that the parties have amicably resolved all their disputes, no useful purpose would be served by continuing with the FIR. Accordingly, FIR No. 261/2007 under Sections 498A/406/34 IPC registered at P.S. Shakarpur and all the consequential proceedings arising out of the same are hereby quashed. Needless to say that this settlement between the petitioners and the respondent No. 2 is without prejudice to the rights of child son Sarthak that may be available to him as per law. Bail bonds of the petitioners are cancelled and their sureties are discharged.

The petition stands disposed of.



M.L. MEHTA, J

NOVEMBER 25, 2011

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