

\$~65

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

Crl. MC No. 3603/2011

Prakash Sharma & Ors.

..... Petitioners

Through: Mr. S.K. Jain, Adv.

versus

STATE & Anr.

..... Respondents

Through: Ms. Jasbir Kaur, APP for State

Counsel (presence not given) for
Respondent no.2. along with respondent
no.2 present in person.

CORAM:

HON'BLE MR. M.L. MEHTA

ORDER

%

03.11.2011

This is a petition under Section 482 Cr.P.C for quashing of FIR No.1035/2001 under Section 406/498A/34 of IPC registered at Police Station Malviya Nagar, New Delhi and the subsequent proceedings emanating therefrom.

The petitioner no.1 and respondent no.2 were married and daughter Baby Ashita was born out of the wedlock who is in custody of respondent no.2.

The parties have arrived at an amicable settlement before the Mediation and Conciliation Centre. The report of Mediation & Conciliation Centre is placed on record.

In terms of the settlement arrived at inter se parties, the respondent no.2 has been paid an amount of Rs.2 lac by way of an FDR in the name of baby Ashita by the petitioner Mr. Prakash Sharma. That being so, the

Signature Not Verified

Signing Date: 28.08.2024 16:49:39
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

2

respondent no.2 will have no right, interest or claim, present, past and future against the petitioners. The petitioner no.1 and respondent no.2 shall live separately without there being any interference of each other. However, by way of the settlement arrived at between the parties, they cannot deprive their daughter Ashita of her lawful rights. She would be entitled to seek the remedy as per law, if she so desires, after attaining the age of majority.

In view of the above, no useful purpose would be served to continue with the abovesaid FIR and the proceedings emanating therefrom. Accordingly, FIR No.1035/2001 under Section 406/498A/34 of IPC registered at Police Station Malviya Nagar, New Delhi and the subsequent proceedings emanating therefrom are hereby quashed. Bail bonds of the petitioners are hereby cancelled and their sureties discharged.

The petition stands disposed of in above terms.

Dasti.



M.L. Mehta, J

November 03, 2011
rd