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

+ W.P.(CRL) 1795/2015
SIDDHANT RAHA & ORS

..... Petitioner

Through: Mr.Anjani Kumar, Adv.

versus

STATE (NCT) OF DELHI

..... Respondent

Through: Mr. Sanjay Lao, ASC for the State
with SI Shabbir Ali, PS Sangam Vihar
Mr.A.K. Mishra, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **21.08.2015**

Petitioner No.1 is the husband of respondent No.2 whereas petitioners No.2 and 3 are the parents of petitioner No.1

The petitioners seek quashing of the FIR No.184/2014 (P.S. Sangam Vihar) instituted under Sections 498A, 406 and 34 IPC. The petitioner No.1 was married to respondent No.2 sometimes in the year 2001. However, after some time of the marriage, petitioner No.1 and respondent No.2 started living separately because of differences of opinion between them.

A case came to be lodged by respondent No.2 against the petitioners. The father of respondent No.2 also filed three complaints under Section 138 of Negotiable Instruments Act, 1881 against petitioner No.2 (father of petitioner No.1). However, during the pendency of the investigation of the

subject FIR, with the intervention of well-wishers and family friends, the parties decided to settle their differences and part ways amicably.

An agreement was executed between the parties on 19.8.2014. As per the agreement, all the cases filed by the parties against each other are to be withdrawn. It was further agreed upon that respondent No.2 would receive a sum of Rs.3,50,000/- towards full and final settlement of all her claims.

Rs.2,50,000/-, out of the agreed amount, was paid on 19.8.2014, on the day when the agreement was executed, whereas the outstanding Rs.1 lakh was to be paid within one month of the execution of the agreement referred to above. That amount also has been paid.

The petitioner No.1 and respondent No.2 are present in person.

This Court has interacted with respondent No.2.

There is no pressure or coercion on respondent No.2 to go for a settlement.

The petitioners as well as respondent No.2 have now no claims against each other. Under such circumstances, quashing of the subject FIR has been urged.

Considering the aforementioned facts, especially settlement between petitioner No.1 and respondent No.2 and their decision to part ways, this Court is inclined to quash the FIR.

The FIR No.184/2014 and all the emanating proceedings thereof, are hereby quashed.

The petition is allowed.

Dasti.

ASHUTOSH KUMAR, J

AUGUST 21, 2015

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