

\$~6

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

+ **W.P.(CRL) 380/2016**

G MADHU SUDAN & ORS

..... Petitioners

Represented by: Mr. R.K. Wadhwa with Ms. Neha Kapoor and Ms. Shivani Rana, Advocates for petitioners 1 to 4.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Rajesh Mahajan, Additional Standing Counsel for the State with SI Rampal, PS Safdurjung Enclave.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

04.08.2016

%

By the present petition, the petitioners seek quashing of FIR No. 944/2015 under Section 406/498A/377/34 IPC, registered at Police Station Safdurjung Enclave, on the complaint of respondent No.2 Nisha Gautam.

Learned Additional Standing Counsel for the State, on instructions, submits that in the above-mentioned FIR petitioners are the only accused and the respondent No.2 is the only complainant/victim.

Respondent No.2, who is present in court, states that she has settled

W.P.(CRL) 380/2016

Page 1 of 2

the matter with the petitioners in terms of the Memorandum of Understanding dated 15th December, 2015, arrived at between the parties, copy whereof has been annexed at pages 53 to 57 of the paper book. She submits that after the present FIR is quashed, the parties will file a petition for seeking divorce by mutual consent under the Special Marriage Act. The payment schedule is also noted in the Memorandum of Understanding in para 4.

In terms of the settlement a draft for a sum of Rs. 2,50,000/- bearing No.759914 dated 18th July, 2016, drawn on Punjab National Bank has been handed over to respondent No.2 in court today.

Since the respondent No.2 does not wish to pursue the above noted FIR and the proceedings pursuant thereto and there is no legal impediment in quashing the FIR, in the interest of justice, the above-noted FIR and the proceedings pursuant thereto are hereby quashed.

Parties, who are present in court, have been identified by their learned counsels and the Investigating Officer. Both the parties state that they will abide by the terms of the settlement.

Both the parties have signed this order sheet in acknowledgment of their statements made before this Court.

In view of the above, the present petition is disposed of.

MUKTA GUPTA, J.

AUGUST 04, 2016
‘n’

W.P.(CRL) 380/2016

Page 2 of 2