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

+ CRL.M.C. 3189/2016

SAMEER MALHOTRA & ORS

Represented by:

..... Petitioner

Mr. Harsh Chachra, Adv.
with petitioners.

versus

STATE OF DELHI & ANR

Represented by:

..... Respondent

Ms. Rajni Gupta, APP with
Insp. Harjinder Rana, Cyber
Crime.

Ms. Divya Jagga, Adv. for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.09.2016

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CrI.M.A. 13623/2016

For the reasons stated in the application, the delay of 168 days in re-filing the petition is condoned.

Application is disposed of.

CrI.M.C. 3189/2016

By the present petition, the petitioners seek quashing of FIR No.8/2010 under Sections 498A/406/34 IPC registered at PS CAW Cell on the complaint of respondent No.2 as the parties have settled the matter.

Learned APP for the State submits that though five accused were named in the FIR however charge for offences punishable under Sections 498A/406/34 IPC was framed only against three petitioners herein and besides respondent No.2 there is no other complainant/victim in the above-noted FIR.

Respondent No.2 is present in Court and is identified by her counsel and the investigating officer. She states that she had initially settled the matter with the petitioners and petitioners were to give her ₹2 lakhs in lieu of her claims towards maintenance, alimony, stridhan etc. however since petitioner No.1 could not give beyond ₹82,000/-, respondent No.2 has settled the matter with him on the said amount and does not have any further claim whatsoever towards maintenance, alimony, stridhan etc. against petitioners. She further states that divorce by mutual consent has already been granted between petitioner No.1 and respondent No.2. She submits that she does not wish to pursue the above-noted FIR and proceedings pursuant thereto.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.8/2010 under Sections 498A/406/34 IPC registered at PS CAW Cell, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 02, 2016/‘vkm’