

19# \$~

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

+ **CRL.M.C. 1437/2016**

YOGENDRA TYAGI & ORS

..... Petitioners

Represented by: Mr. C. Prakash, Mr. Sahila
Tanwar and Ms. Lata Anand,
Advocates with petitioners in
person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Umed Yadav,
PS Uttam Nagar.
Mr. S.W. Haider, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.07.2016

%

By the present petition the petitioners seek quashing of FIR No. 755/2014 under Sections 354/509/506/323/34 IPC registered at PS Uttam Nagar, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that besides the petitioners mentioned in the memo of parties, there is no other accused and besides the respondent No.2 there is no other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms. Jyoti Tyagi is present in
CRL.M.C. 1437/2016

Page 1 of 3

Court and is identified by the learned counsel. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement marriage between the Petitioner No. 1 and Respondent No. 2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No. 1 has paid a sum of ₹4 lakhs to respondent No.2. Respondent No. 2 accepts receipt of payment of ₹4 lakhs, in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. She further states that she will abide by the terms of settlement arrived at between the parties vide compromise deed dated 4th October, 2014 copy whereof is annexed with the petition as Annexure-P2 from pages 27 to 30 and in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners, who are present in Court and are identified by their counsel state that they will abide by the terms of the settlement.

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. 755/2014 under Sections 354/509/506/323/34 IPC registered at PS Uttam Nagar, 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.

JULY 20, 2016
‘vn’