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

+ CRL.M.C. 1936/2016 & CrI.M.A. 8220/2016

MUKESH SHAH & ORS Petitioner

Represented by: Mr. David A., Adv. with
petitioners.

versus

NCT OF DELHI & ANR Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Bimla, PS Khyala
Mr. Jai Prakash Sharma, Adv.
for R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

04.10.2016

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By the present petition, the petitioners seek quashing of FIR No.28/2012 under Sections 498A/406/34 IPC registered at PS Khyala on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR, 7 petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 is present in Court and is identified by learned counsel and the investigating officer. She states that she has settled the matter with the petitioners. In terms of the settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent no.2. In lieu of all her claims towards maintenance, istridhan, permanent alimony

etc., respondent No.2 was entitled to receive ₹1.80 lakhs out of which she has already received ₹1.30 lakhs and balance amount of ₹50 thousand has been received by her today in Court. She states that she has no claim whatsoever remaining against the petitioners and she does not wish to pursue the above noted FIR and the proceedings pursuant thereto. Petitioners except petitioners No.2 and 3, who are old and ailing and have been exempted from appearing before this Court, are present in Court and are identified by learned counsel. They affirm the statement made by respondent No.2 and state that they will abide by the terms of 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.28/2012 under Sections 498A/406/34 IPC registered at PS Khyala, 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 04, 2016
‘v mittal’