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

+ CRL.M.C. 1996/2016

SANDEEP SHARMA & ORS

..... Petitioner

Represented by: Mr. Narender Hudda with Mr.  
Kamal Kishor, Advs. and  
petitioners 1,3 & 5.

versus

THE STATE ( NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP  
with W/SI Nirmala, PS  
Paschim Vihar.  
R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**30.11.2016**

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CrI.M.A. /2016

Registry to number the application.

The delay of 33 days in refiling the amended memo of parties is  
condoned.

Application is disposed of.

CrI.M.A. /2016

Registry to number the application.

The amended memo of parties is taken on record.

Application is disposed of.

CrI.M.C. 1996/2016

By the present petition, the petitioners seek quashing of FIR  
No.148/2009 under Sections 498A/406/34 IPC registered at PS Paschim  
Vihar on the complaint of respondent No.2 and proceedings pursuant thereto

as parties have settled the matter.

Learned APP for the State on instructions submits that out of the five petitioners, petitioner No.2 S.P. Sharma, father of petitioner No.1 has since passed away and thus petitioner Nos. 1 and 3 to 5 are only accused now and respondent No.2 the only complainant/victim.

Respondent No.2 is present in Court and identified by the investigating officer. She states that she has settled the matter with the petitioners. As per the settlement arrived at between the parties incorporated in Annexure C the stamp paper dated 24<sup>th</sup> February, 2009, respondent No.2 has received ₹2.50 lakhs in lieu of all her claim towards maintenance/permanent alimony etc. besides her jewellery/furniture etc. and has now no claims whatsoever against the petitioners. Divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. She does not wish to pursue the above noted FIR and proceedings pursuant thereto. Petitioner Nos. 1, 3 and 5 are present in Court and identified by learned counsel. They affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties. Respondent No.4 who is brother of petitioner No.1 and presently not residing in Delhi is exempted from appearing before the Court.

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.148/2009 under Sections 498A/406/34 IPC registered at PS Paschim Vihar, 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.**

**NOVEMBER 30, 2016**  
**‘v mittal’**