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

+ **CRL.M.C. 1893/2016**

VIVEK SINHA & ORS

..... Petitioner

Represented by: Mr. Sudhir Balyan, Adv.

versus

STATE (GOVERNMENT OF NCT OF DELHI) & ANR'

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Des Raj, PS Vikas Puri.
Mr. Rajendra Kumar, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
16.09.2016

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By the present petition, the Petitioners seek quashing of FIR No. 103/2008 under Sections 498A/406/34 IPC registered at PS Vikas Puri, 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 Investigating Officer submits that in the above-noted FIR the three petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners and divorce by mutual consent has been granted

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between the petitioner No.1 and respondent No.2. In terms of the settlement respondent No.2 is entitled to receive a sum of ₹6 lakhs in full and final settlement of all her claims out of which she has already received a sum of ₹4 lakhs and the balance amount of ₹2 lakhs has been received by her today in Court by way of demand draft No.'021691' drawn on Union Bank. She states that she does not wish to pursue the abovementioned FIR and the 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. 103/2008 under Sections 498A/406/34 IPC registered at PS Vikas Puri, 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.

After the order had been dictated learned counsel for the respondent No.2 points out that the name of respondent No.2 in the demand draft has been wrongly mentioned as 'Kansi Anand' instead of 'Manasi Anand'.

The petitioners who are present in Court state that a fresh demand draft for a sum of ₹2 lakhs will be handed over to the respondent No.2 through her counsel latest by 20th September, 2016.

MUKTA GUPTA, J.

SEPTEMBER 16, 2016
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