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

+ CRL.M.C. 1856/2016

VIKAS SHARMA & ORS Petitioner

Represented by: Ms. Sunita Joshi, Adv.

versus

STATE (NCT OF DELHI) & ANR Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Om Parkash, PS Badarpur.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.09.2016

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By the present petition, the petitioners seek quashing of FIR No.7/2013 under Sections 406/498A/34 IPC registered at PS Badarpur on the complaint of respondent No.2 as the parties have settled the matter.

Learned APP for the State on instructions from the investigating officer submits that four petitioners are the only accused and respondent No.2 is the only complainant in the present FIR.

Respondent No.2 is present in Court and is identified by the investigating officer. She states that she has settled the matter with the petitioners and in terms thereof divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. The petitioners have agreed to pay a sum of ₹3.5 lakhs to her in lieu of her claims towards maintenance, alimony, stridhan etc. out of which she has already received a sum of ₹2.5 lakhs. The remaining amount of ₹1 lakh has been received by her today in

Court by way of demand draft No.213262 dated 29th August, 2016 drawn on Syndicate Bank, Tilpat, Haryana. She further states that female child Rashi Sharma born out of the wedlock would remain in her custody and care and petitioners would not have any visiting right/rights towards the said child. She submits that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners present in Court and are identified by their counsel submits that they would abide by the terms of settlement arrived at between the parties.

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.7/2013 under Sections 406/498A/34 IPC registered at PS Badarpur, 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 05, 2016
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