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

+ **CRL.M.C. 2148/2016**

SHABNAM

..... Petitioner

Represented by: Mr. I.A. Khan, Advocate with
petitioner in person.

versus

THE STATE NCT OF DELHI

..... Respondent

Represented by: Mr. Kewal Singh Ahuja, APP
for the State with SI Ram
Bhav, PS Khyala.
Mr. Satish Kumar, Advocate
for respondent Nos. 2 to 6 with
respondent Nos. 2 to 6 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
26.08.2016

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By the present petition the petitioner who is the complainant in case FIR No. 778/2014 under Sections 498A/307/34 IPC registered at PS Khayala, Delhi against the respondent Nos. 2 to 6 seeks compounding/quashing of the FIR on the ground that the parties have settled the matter.

Copy of the settlement between the parties is annexed as Annexure-A3 to the petition. Section 307 IPC was invoked for the reason that the petitioner alleged that she was thrown by the private respondents/respondent Nos. 2 to 6 from the second floor resulting in fracture. However, when the petitioner entered the witness box though in her examination-in-chief she

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reiterated that she was thrown from the second floor however, in her cross-examination she admitted that a quarrel was going on between the petitioner, her husband and the parents-in-law when a scuffle ensued in which she slipped down the stairs.

Learned APP for the State on instructions from the Investigating Officer submits that besides the petitioner mentioned in the memo of parties, there is no other complainant/victim and besides the respondent Nos.2 to 6 there is no other accused in the present FIR.

The Complainant/petitioner Ms. Shabnam is present in Court and is identified by learned counsel and the Investigating Officer. She states that parties have entered into a Compromise. It is further stated that the talaq has already been pronounced between the petitioner and the respondent No.2. She further states that she in terms of the settlement the respondent No.2 has paid a sum of ₹11 lakhs in lieu of her maintenance, mehar and the maintenance of the children also and that now she has no claim remaining of any kind against the respondent Nos. 2 to 6. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto against the respondent Nos. 2 to 6.

Respondent Nos. 2 to 6, who are present in Court and are identified by their counsel and the Investigating Officer 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. 778/2014 under Sections 498A/307/34 IPC registered at PS Khayala, 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.

AUGUST 26, 2016

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