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

+ CRL.M.C. 2002/2016

SANJEEV SHARMA & ORS.

..... Petitioner

Represented by: Mr. Ashish Dhingra, Adv. with
petitioners.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Parkash Chand, PS Kotwali.
Mr. Mohit Saroha, Adv. for R-
2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.11.2016

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By the present petition, the petitioners seek quashing of FIR No.175/2013 under Sections 498A/406/34 IPC registered at PS Kotwali on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

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

Respondent No.2 who is present in Court and identified by learned counsel and the investigating officer submits that she has settled the matter with the petitioners before the counselling cell and a settlement was recorded on 12th August, 2015 a copy of which is annexed as Annexure 2 at pages 38 to 40 of the paper book. She states that in terms of settlement, divorce by mutual consent has been granted between petitioner No.1 and

respondent No.2. In lieu of all claims of respondent No.2 regarding maintenance, permanent alimony, istridhan etc. and maintenance of minor child Yatharth, the respondent No.2 was entitled to receive a sum of ₹13 lakhs out of which ₹9 lakhs have already been received by her and the remaining amount of ₹4 lakhs has been received by her today in Court by way of banker's cheque No.312236 dated 4th October, 2016 drawn on State Bank of India, Sant Nirankari Colony, Delhi. She states that she has now no claim remaining against the petitioners. She further states that minor child Yatharth would remain in her care and custody and the petitioners would neither have custody nor visitation right of minor child Yatharth. She does not wish to pursue the above noted FIR and proceedings pursuant thereto. The petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement recorded before counselling cell on 12th August, 2015.

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.175/2013 under Sections 498A/406/34 IPC registered at PS Kotwali, 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 18, 2016
‘v mittal’