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

+ CRL.M.C. 2088/2016

ANIL KUMAR & ORS Petitioner

Represented by: Mr. K.K. Jha, Adv. with
petitioners.

versus

STATE & ANR Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with Insp. Raj Bala, PS South
Rohini and ASI Narendra
Kumar, PS Bawana.
Mr. Rohtas Rana with Mr. A.K.
Vashisth, Advs. for R-2 with
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.12.2016

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By the present petition, the petitioners seek quashing of FIR No.168/1999 under Sections 498A/406/34 IPC registered at PS Bawana on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that initially nine accused were charge sheeted in the FIR however one Jagat Ram has passed away and thus eight petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by learned

counsel states that she has settled the matter with the petitioners before the family Court on 26th November, 2010 in CC No.302/2010 copy whereof has been placed on record at pages 53 and 54 of the paper book. In terms of the settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims regarding maintenance/istridhan/permanent alimony etc. respondent No.2 is entitled to receive ₹6.5 lakhs out of which she has already received ₹5.5 lakhs and balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No.017327 dated 21st December, 2016 drawn on Axis Bank Ltd. Moti Nagar, New Delhi. She states that the minor child Varsha born out of the said wedlock would remain in her care and custody and petitioners will neither have custody nor visitation rights of the said child. 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 on 26th November, 2010.

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.168/1999 under Sections 498A/406/34 IPC registered at PS Bawana, 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.

DECEMBER 16, 2016

‘v mittal’