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

+ CRL.M.C. 2213/2016

KRISHAN KUMAR & ORS

..... Petitioners

Represented by: Mr. V. Madhukar and Mr.
Vishnu Dutt Sharma,
Advocates.

versus

STATE OF DELHI & ANR

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Ashish
Sharma, PS Sadar Bazar.
Ms. Neeshu Rana and Mr.
Neeraj Dinkar, Advocates for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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30.09.2016

By the present petition the petitioners seek quashing of FIR No. 6/2013 under Sections 498A/406/34 IPC registered at PS Sadar Bazar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State submits that in the above noted FIR the six accused were arrayed however, the charge sheet was filed only against petitioner No.1 and respondent Nos. Petitioner Nos. 2 to 6 were kept in column No.12 and had not been summoned by the learned Trial Court. She further states that the respondent No.2 is the only complainant/victim.

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The complainant/Respondent No. 2 Ms. Meenakshi who is present in Court and is identified by the learned counsel and the Investigating Officer states that the Petitioners and Respondent No.2/Complainant have settled the matter in terms of the Settlement Deed Dated 2nd January, 2016 before the Mediation Centre, Tis Hazari Courts. In terms of the settlement marriage between the Petitioner No. 1 and Respondent No. 2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No. 1 has to pay a sum of ₹5.50 lakhs out of which ₹4 lakhs has already been received by her and the balance amount of ₹1.50 lakhs has been received by her today in Court by Demand Draft No.000379 dated 28th September, 2016 drawn on IDBI Bank, Thana Road, Najafgarh, Delhi. Respondent No. 2 states that she has no claim against the petitioners now. She further states that the child Parth born out of the wedlock would remain in the care and custody of the petitioner No.1 and she will have the visiting rights as agreed between the parties. She states that she will abide by the terms of the settlement and does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they would abide by the terms of the Settlement dated 2nd January, 2016.

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. 6/2013 under Sections 498A/406/34 IPC registered at PS Sadar Bazar, 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 30, 2016

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