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

+ **CRL.M.C. 2316/2016**

NARESH KUMAR SINGHAL & ANR

..... Petitioner

Represented by: Mr. K.K. Jha, Mr. A.K. Mishra,
Advs.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Vinay Kumar PS Neb
Sarai.
Mr. M. Tripathi, Mr. A.K.
Singh, Advs. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.12.2016

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By the present petition the petitioners seek quashing of FIR No. 158/2010 under Sections 325/506/34 IPC read with Section 31 of Protection of Women from Domestic Violence Act (in short the Act) registered at PS Neb Sarai, 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 on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel. She states that she has settled the matter with the petitioners vide

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the deed of settlement dated 27th May, 2016 pursuant whereto marriage between the respondent No.2 and petitioner No.1 has been dissolved by a decree of mutual consent. In lieu of all her claims of maintenance, istridhan and alimony the respondent No.2 is entitled to receive a sum of ₹37 lakhs which would also include the maintenance of the minor child Onkar till he attains the age of majority. Respondent No.2. has handed over the vacant physical possession of the room forming part of property No. 372, Devli village, New Delhi to the petitioners and in lieu thereof received a sum of ₹20 lakhs which is part of the total amount of ₹37 lakhs. She further states that Master Onkar would remain in her care and custody and the petitioners will neither have custody nor visiting rights of the said child. She further states that she will abide by the terms of settlement and does not wish to pursue the above-noted 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 will abide by the terms of settlement arrived at between the parties on 27th May, 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. 158/2010 under Sections 325/506/34 IPC read with Section 31 of Protection of Women from Domestic Violence Act (in short the Act) registered at PS Neb Sarai, 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 22, 2016
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