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

+ **CRL.M.C. 2494/2016**

ANSHUL RAI & ORS

..... Petitioners

Represented by: Mr. Vivek K. Chaudhary, Mr.
Ajay Kumar Pipaniya, Mr.
Vikrant and Mr. Rohit Arora,
Advocates with petitioners in
person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with ASI Suraj Mal,
PS Prashant Vihar.
Respondent no. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.07.2016

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Crl. M.A. No. 10713/2016 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 738/2013 under Sections 498A/406 IPC registered at PS Prashant Vihar, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that besides the petitioners mentioned in the memo of parties, there is no other accused and besides the respondent No.2 there is no

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other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms.Ridhi Rai is present in Court and is identified by the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement agreement dated 7th August, 2015 arrived at before the Delhi High Court Mediation and Conciliation Centre, 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 paid a sum of ₹15.50 lakhs and the gold and diamond jewellery agreed between the parties. Respondent No. 2 accepts receipt of payment of ₹15.50 lakhs and the gold and diamond jewellery, in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. 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.

Petitioners are present in Court and are identified by their counsel 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. 738/2013 under Sections 498A/406 IPC registered at PS Prashant Vihar, 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.

JULY 19, 2016
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