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

+ **CRL.M.C. 2701/2016**

GAURAV KAPOOR & ORS

..... Petitioners

Represented by: Mr. Deepak Arora, Advocate
with petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Hirein Sharma, APP for
the State with SI Vishvendra,
PS Seema Puri.
Mr. Avnish Sharma, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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01.08.2016

Crl. M.A. No.11583/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2701/2016

By the present petition the petitioners seek quashing of FIR No. 206/2012 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at PS Seema Puri, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State.

Learned APP for the State on instructions from the Investigating

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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 other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms.Babita is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. 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 paid a sum of ₹4.40 lakhs out of which she has already received a sum of ₹3.10 lakhs and the balance amount of ₹1.30 lakhs has been received today by way of Demand Draft No.723457 dated 28th July, 2016 drawn on Karnataka Bank, Savita Vihar. Respondent No. 2 accepts receipt of payment of ₹4.40 lakhs 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. 206/2012 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at PS Seema Puri, 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.

AUGUST 01, 2016

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