

\$~31

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

+ **CRL.M.C. 4784/2016**

VIKAS & ORS.

..... Petitioner

Represented by: Mr. Arun Gaur, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with Insp. Asha PS CWC
Nanakpura.
Mr. Kuldeep Singh, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.12.2016

%

CrI.M.A. 19895/2016

Exemption allowed subject to just exceptions.

CrI.M.A. 19896/2016

For the reasons stated in the application 25 days delay in refiling the petition is condoned.

Application is disposed of.

CRL.M.C. 4784/2016

By the present petition the petitioners seek quashing of FIR No. 80/2011 under Sections 498A/406/34 IPC registered at PS Crime Women Cell (CWC) Nanakpura, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

CRL.M.C. 4784/2016

page 1 of 3

Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR 7 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 and the Investigating Officer. She states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 14th March, 2014. Pursuant to the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan and alimony the respondent No.2 is to receive a total sum of ₹3,50,000/- out of which ₹3.25 lakhs has already received by her and the balance amount of ₹25,000/- has been received today by way of cash of ₹15,000/- and a cheque bearing No.'970792' for ₹10,000/- drawn on Punjab National Bank. She states that she has no claim whatsoever remaining against the petitioners 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 have also returned the belongings as envisaged in Clause 6 of the settlement arrived at before the Mediation Centre.

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. 80/2011 under Sections 498A/406/34 IPC registered at PS Crime Women Cell (CWC) Nanakpura, 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 21, 2016
‘ga’