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

+ **CRL.M.C. 3065/2016**

ANIL SARNA @ ANIL KUMAR

..... Petitioner

Represented by: Mr. Sanjeet Kumar, Advocate
with petitioner in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Kewal Singh Ahuja, APP
for the State with Inspector
Pawan Kumar and SI Naresh,
PS Geeta Colony, SI Parveen,
PS Jagatpuri and SI Yogesh PS
Shakarpur.
Ms. Neha Sharma and Mr.
Manish Kumar, Advocates for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.08.2016

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Crl. M.A. No. 13189/2016 (Delay in refiling)

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

Application is disposed of.

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By the present petition the petitioner seeks quashing of FIR No.
162/2011 under Sections 498A/406 IPC registered at PS Geeta Colony,
Delhi on the complaint of Respondent No.2 on the ground that the parties

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have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State.

Learned counsel for the petitioner submits that though initially three persons of the petitioner's family were made accused however, the mother of the petitioner Smt. Saroj Kumari has already passed away and the other accused Pooja was not charge sheeted thus the charge sheet was only filed against the petitioner.

Learned APP for the State on instructions from the Investigating Officer affirms the said fact and 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.Shelly is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioner and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement marriage between the Petitioner 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 has paid a sum of ₹9 lakhs. Respondent No. 2 accepts receipt of payment of ₹9 lakhs, in lieu of settlement of all her claims towards the petitioner 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.

Petitioner who is present in Court and is identified by the counsel states that he 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. 162/2011 under Sections 498A/406 IPC registered at PS Geeta Colony, 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 26, 2016
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