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

+ **CRL.M.C. 2570/2016**

HIMANSHU THUKRAL & ORS. Petitioners
Through: Mr. Navneet Singh, Advocate with
petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents
Through: Mr. Hirein Sharma, APP for the State
with SI Balbir Singh, PS Vijay Vihar.
Mr. R.S. Chauhan, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
25.07.2016

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By the present petition the petitioners seek quashing of FIR No. 214/2012 under Sections 498A/406/34 IPC registered at PS Vijay Vihar, 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 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.

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The complainant/Respondent No. 2 Ms.Pooja Sharma is present in Court and is identified by the learned counsel. 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., past and future of the Respondent No. 2, the Petitioner No. 1 has paid to pay a sum of ₹5 lakhs out of which she has already received a sum of ₹4 lakhs and the balance amount of ₹1 lakh has been paid today vide Demand Draft No.247453 dated 8th July, 2016 drawn on HDFC Bank, Harsha Bhawan, Delhi. Respondent No. 2 accepts receipt of payment of ₹5 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. 214/2012 under Sections 498A/406/34 IPC registered at PS Vijay 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 25, 2016
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