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

+ CRL.M.C. 2690/2016 and Crl. M.A. No.11537/2016 (Stay)

ARUN SETH & ORS.

..... Petitioners

Represented by: Mr. M.K. Chawla, Advocate
with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Kewal Singh Ahuja, APP
for the State with SI Ajmer
Singh, PS CAW/Nanak Pura.
Ms. Pusshp Gupta, 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

By the present petition the petitioners seek quashing of FIR No. 71/2012 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, 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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Notice is also accepted by counsel for the respondent No.2. The complainant/Respondent No. 2 Ms.Amandeep 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. A child Master Harshit was born from the wedlock on 29th September, 2009 who will be in custody of respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2 and maintenance of the minor child Harshit the Petitioner No. 1 has paid a sum of ₹10 lakhs. Respondent No. 2 accepts receipt of payment of ₹10 lakhs, in lieu of settlement of all her claims towards the petitioners and maintenance of Master Harshit 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. 71/2012 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, 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 and the application are disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 01, 2016
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