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

+ CRL.M.C. 3693/2016

RAVI KANT

..... Petitioner

Represented by: Mr. Bijay Mohan Gosain, Adv.
with petitioner.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Harender Singh and ASI Balbir
Singh, PS Punjabi Bagh.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.11.2016

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By the present petition, the petitioner seeks quashing of FIR No.132/2013 under Sections 498A/406/34 IPC registered at PS Punjabi Bagh on the complaint of respondent No.2 and proceedings pursuant thereto as parties have settled the matter.

Learned APP for the State on instructions submits that though besides the petitioner, her mother was also added as accused however in the charge sheet her name was kept in column No.12 and no summons have been issued to her. Thus in the above noted FIR, the petitioner is only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by investigating officer submits that she has settled the matter with the petitioner before the Counselling Cell, Family Courts, Dwarka Court on 1st May, 2013. Pursuant to settlement, divorce by mutual consent has been

granted between the parties. In lieu of all her claims towards maintenance/istridhan/permanent alimony etc., respondent No.2 was to receive ₹2.75 lakhs out of which she has already received ₹2 lakhs and remaining amount of ₹75,000/- has been received by her today in Court by way of demand draft No.747908 dated 19th November, 2016 drawn on Punjab National Bank, Vikaspuri, New Delhi. She states that she has now no claim whatsoever against the petitioner and does not wish to pursue the above noted FIR and proceedings pursuant thereto. The petitioner who is present in Court and identified by learned counsel affirm the statement of respondent No.2 and states that he will abide by the terms of settlement dated 1st May, 2013.

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.132/2013 under Sections 498A/406/34 IPC registered at PS Punjabi Bagh, 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.

NOVEMBER 30, 2016/‘v mittal’