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

+ CRL.M.C. 2669/2016

SONU GUPTA @ SONI & ORS.

..... Petitioners

Represented by: Mr. K.V. Singh and Mr. Rajiv Ranjan, Advocates with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Ms. Rajni Gupta, APP for the State with SI Abhishek, PS Govindpuri.
Mr. Rama Kant Gupta,
Advocate for the respondent no.2/ complainant with respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
22.08.2016

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By the present petition the petitioners seek quashing of FIR No. 65/2015 under Sections 498A/406/34 IPC registered at PS Govind Puri, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

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.

The complainant/Respondent No. 2 Ms.Rekha Gupta is present in Court and is identified by the learned counsel and the Investigating Officer.

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She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement, the statement for first motion for divorce by mutual consent has already been recorded and the respondent No.2 has been paid a sum of ₹2 lakhs. She further states that she would be entitled to receive a further sum of ₹2 lakhs at the time of recording of the statement for second motion for divorce by mutual consent whereafter she will have no claim whatsoever of any kind like maintenance, streedhan and alimony etc. and she will abide by the terms of the settlement. 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, who are present in Court and are identified by their counsel state that they will abide by the terms of the settlement and respondent No.2 would be paid a sum of ₹2 lakhs at the time when the statement for second motion for divorce by mutual consent will be recorded.

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. 738/2013 under Sections 498A/406 IPC registered at PS Prashant 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.

AUGUST 22, 2016

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