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

+ **CRL.M.C. 2936/2016**

RAJKUMAR & ANR.

..... Petitioners

Represented by: Ms. Suman Chauhan, Advocate
with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with ASI Tejram, PS
Najafgarh.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.08.2016

By the present petition the petitioner seeks quashing of FIR No. 106/2008 under Sections 498A/406 IPC registered at PS Najafgarh, 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 two petitioners in the above noted FIR one more brother of the petitioner No.1 was also charge sheeted however, he is since passed away and thus the two petitioners are the only accused and besides the respondent No.2 there is no other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms.Neetu is present in Court and is identified by the Investigating Officer. She states that the Petitioners and

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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. The three children born out of the wedlock are in the care and custody of the petitioner No.1. She also states that she has taken no maintenance, streedhan and alimony etc. from the petitioner and would not claim the same even in future against the petitioner No.1. 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 the 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. 106/2008 under Sections 498A/406 IPC registered at PS Najafgarh, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioners paying a cost of ₹25,000/- to the respondent No.2 within four weeks. In case receipt of the cost imposed is not filed before this Court within four weeks FIR will not be treated as 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 12, 2016

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