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

+ **CRL.M.C. 2809/2016**

BISHAMBER SINGH

..... Petitioner

Represented by: **Mr. Vimal Verma, Adv.**

versus

STATE & ANR

..... Respondent

Represented by: **Mr. Kewal Singh Ahuja, APP**
with SI Anand Kr. Jha, Insp.
Saroj PS Ambedkar Nagar.
Mr. Ranbir Singh, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.08.2016

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CrI.M.A. 11972/2016

Exemption allowed subject to just exceptions.

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This is a petition for quashing of FIR No. 144/2000 under Section 498A IPC registered at PS Ambedkar Nagar, Delhi on the complaint of Respondent No.2.

Notice. Learned APP for the State accepts notice. Learned APP for the State on instructions from Investigating Officer submits that 6 accused were charge-sheeted in the above-noted FIR, however while passing order on charge the other 5 co-accused were discharged vide order dated 22nd

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February, 2012 and charge was framed only against the petitioner who is the husband of respondent No.2.

The respondent No. 2 is present in Court and is identified by her counsel and the Investigating Officer. She states that she has settled the matter with the petitioner and divorce by mutual consent has already been granted between the petitioner and the respondent No.2. Petitioner has agreed to pay a sum of ₹8 lakhs in lieu of all her claims of respondent No.2 qua istridhan, maintenance and alimony etc. out of which she has already received a sum of ₹5 lakhs and the balance amount of ₹3 lakhs has been received by her today in Court by way of demand drafts Nos. “947059” and ‘540018’ in the sum of ₹1,50,000/- each respectively drawn at Punjab National Bank and Oriental Bank of Commerce. 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.

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. 144/2000 under Section 498A IPC registered at PS Ambedkar Nagar, 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 05, 2016
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