

27# \$~

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

+ **CRL.M.C. 2790/2016**

DINESH & ORS

..... Petitioners

Represented by: Mr. Manjeet Godara and Mr.
D.S. Ahlawat, Advocates with
petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with ASI Anil Dutt,
PS Nihal Vihar.
Ms. Rajshree Sharma,
Advocate for the complainant
with complainant/respondent
no.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

04.08.2016

Crl M.A. No. 11891/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2790/2016

By the present petition the petitioners seek quashing of FIR No. 331/2015 under Sections 498A/406/34 IPC registered at PS Nihal Vihar, 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 three petitioners mentioned in the memo of

CRL.M.C. 2790/2016

Page 1 of 3

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.Poonam is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement arrived at between the parties, marriage between the Petitioner No. 1 and Respondent No. 2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No. 1 has to pay sum of ₹4 lakhs out of which she has already received a sum of ₹3 lakhs and the balance amount of ₹1 lakhs has been received by her by way of Demand Draft No.117487 dated 3rd August, 2016 drawn on Syndicate Bank, Chhattarpur, Delhi. Respondent No. 2 accepts receipt of payment of ₹4 lakhs, in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. She also states that the child Mani, born from the wedlock of the petitioner No.1 and respondent No.2 will live in the care and custody of his father, that is, Dinesh Singh. 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. 331/2015 under Sections 498A/406/34 IPC registered at PS Nihal 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 04, 2016

‘vn’