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

+ **CRL.M.C. 2802/2016**

PRADEEP SINGH KARKI & ORS

..... Petitioners

Represented by: Mr. Anil Goel, Advocate with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Vikas, PS
Fatehpur Beri.
Mr. Dinesh Kumar, Advocate
for the respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.08.2016

Crl M.A. No. 11946/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2802/2016 and Crl. M.A. No. 11947/2016 (Stay)

By the present petition the petitioners seek quashing of FIR No. 248/2011 under Sections 498A/406 IPC registered at PS Fatehpur Beri, 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 parties, there is no other accused and besides the respondent No.2 there is no

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other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms. Indra Karki is present in Court and is identified by the learned counsel. 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 ₹5 lakhs out of which she has already received a sum of ₹4 lakhs and the balance amount of ₹1 lakhs has been received by her by way of Demand Draft No. 019422 dated 3rd August, 2016 drawn on HDFC Bank, Gurgaon. Respondent No. 2 accepts receipt of payment of ₹5 lakhs, in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. 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. 248/2011 under Sections 498A/406 IPC registered at PS Fatehpur Beri, 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 05, 2016
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